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BOMBAY BRANCH

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VINDICIÆ GALLICÆ.

DEFENCE

OF THE

FRENCH REVOLUTION

AND ITS

ENGLISH ADMIRERS

AGAINST THE ACCUSATIONS OF

THE RIGHT HON. EDMUND BURKE;

INCLUDING

SOME STRICTURES ON THE LATE PRODUCTION OF

MONS. DE CALONNE.

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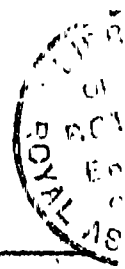

By JAMES MACKINTOSH.

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1791.

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ADVERTISEMENT.

HAD *I foreſeen the ſize to which the following Volume was to grow, or the obſtacles that were to retard its completion, I ſhould probably have ſhrunk from the undertaking; and perhaps I may now be ſuppoſed to owe an apology for offering it to the Public, after the able and maſterly Publications to which this controverſy has given occaſion.*

Many parts of it bear internal marks of having been written ſome months ago, by alluſions to circumſtances which are now changed; but as they did not affect the reaſoning, I was not ſolicitous to alter them.

For the lateneſs of its appearance, I find a conſolation in the knowledge, that reſpectable Works on the ſame ſubject are ſtill expected by the Public; and the number of my fellow-labourers only ſuggeſts the reflection—that too many minds cannot be employed on a controverſy ſo immenſe as to preſent the moſt various aſpects to different underſtandings, and ſo important, that the more correct ſtatement of one fact, or the more ſucceſsful illuſtration of one argument, will at leaſt reſcue a book from the imputation of having been written in vain.

Little Ealing, Middleſex,
April 26, 1791.

E R R A

Page		Page	
16	l. 7, for "have" read "*have been*"	128	l. 21, for "candid" read "*landed*"
39	l. 19, for "part" read "*port*"	136	l. 5, dele "*of this*"
30	l. 13, for "commercial" r. "*commerce*"	167	l. 12, for "find" read "*finds*"
32	l. 9, for "intereſted" r. "*diſintereſted*"	227	note l. 7, for "view" read "*price*"
54	l. 19, for "traduce" read "*reduce*"	334	l. 2, for "numeris" read "*nummis*"
74	note l. 2, for "level" read "*civil*"	342	l. 26, between "the" and "branches" insert "*others*"
77	l. 15, for "in" read "*it*"	350	l. 4, for "ſuperciliouſly" r. "*ſuperſtitiouſly*"
78	note l. 8, for "did" read "*did not*"		
84	l. 8, for "Jacobites" read "Jacobins"		

Errors purely literal are truſted to the candor of the Reader to correct.

INTRODUCTION.

THE late opinions of Mr. Burke furniſhed more matter of aſtoniſhment to thoſe who had diſtantly obſerved, than to thoſe who had correctly examined the ſyſtem of his former political life. An abhorrence for abſtract politics, a predilection for ariſtocracy, and a dread of innovation, have ever been among the moſt ſacred articles of his public creed. It was not likely that at his age he ſhould abandon to the invaſion of audacious novelties, opinions which he had received ſo early, and maintained ſo long, which had been fortified by the applauſe of the great, and the aſſent of the wiſe, which he had dictated to ſo many illuſtrious pupils, and ſupported againſt ſo many diſtinguiſhed opponents. Men who early attain eminence, repoſe in their firſt

creed. They neglect the progreſs of the human mind ſubſequent to its adoption, and when, as in the preſent caſe, it has burſt forth into action, they regard it as a tranſient madneſs, worthy only of pity or deriſion. They miſtake it for a mountain torrent that will paſs away with the ſtorm that gave it birth. They know not that it is the ſtream of human opinion *in omne volubilis ævum*, which the acceſſion of every day will ſwell, which is deſtined to ſweep into the ſame oblivion, the reſiſtance of learned ſophiſtry and of powerful oppreſſion.

But there ſtill remained ample matter of aſtoniſhment in the Philippic of Mr. Burke. He might deplore the ſanguinary exceſſes—he might deride the viſionary policy that ſeemed to him to tarniſh the luſtre of the Revolution, but it was hard to have ſuppoſed that he ſhould have exhauſted againſt it every epithet of contumely and opprobium, that language

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can furniſh to indignation; that the rage of his declamation ſhould not for one moment have been ſuſpended, that his heart ſhould not betray one faint glow of triumph, at the ſplendid and glorious delivery of ſo great a people. All was invective—the authors, and admirers of the Revolution——every man who did not execrate it, even his own moſt enlightened and accompliſhed friends, were devoted to odium and ignominy.

This ſpeech did not ſtoop to argument—the whole was dogmatical and authoritative; the cauſe ſeemed decided without diſcuſſion; the anathema fulminated before trial. But the ground of the opinions of this famous ſpeech, which, if we may believe a foreign journaliſt, will form an epoch in the hiſtory of the eccentricities of the human mind, was impatiently expected in a work ſoon after announced. The name of the author, the importance of the ſubject, and the ſingularity of

his opinions, all contributed to inflame the public curioſity, which though it languiſhed in a ſubſequent delay, has been revived by the appearance, and will be rewarded by the peruſal of the work.

It is certainly in every reſpect a performance, of which to form a correct eſtimate, would prove one of the moſt arduous efforts of critical ſkill. "We ſcarcely can praiſe it, or blame it too much." Argument every where dextrous and ſpecious, ſometimes grave and profound, cloathed in the moſt rich and various imagery, and aided by the moſt pathetic and pictureſque deſcription, ſpeaks the opulence and the powers of that mind, of which age has neither dimmed the diſcernment nor enfeebled the fancy, neither repreſſed the ardour, nor narrowed the range. Virulent encomiums on urbanity and inflammatory harangues againſt violence; homilies of moral and religious myſticiſm, better adapted

ed to the amuſement than to the conviction of an incredulous age, are ingredients of inferior zeſt and reliſh.

Of the ſenate and people of France, his language is ſuch as might have been expected to a country which his fancy has peopled only with plots, and aſſaſſinations, and maſſacres, and all the brood of dire chimeras which are the opffſring of a prolific imagination, goaded by the agonies of ardent and deluded ſenſibility. The glimpſes of benevolence, which irradiate this gloom of invective, ariſe only from generous illuſion, from miſguided and miſplaced compaſſion——his eloquence is not at leiſure to deplore the fate of beggared citizens, and famiſhed peaſants, the victims of ſuſpended induſtry, and languiſhing commerce. The ſenſibility which ſeems ſcared by the homely miſeries of the vulgar, is attracted only by the ſplendid ſorrows of royalty, and agonizes at the ſlendereſt pang

that aſſails the heart of ſottiſhneſs or proſtitution, if they are placed by fortune on a throne.

To the Engliſh friends of French freedom, his language is contemptuous, illiberal, and ſcurrilous in the extreme. In one of the ebbings of his fervour, he is diſpoſed not to diſpute "their good intentions." But he abounds in intemperate ſallies, in ungenerous inſinuations, which wiſdom ought to have checked, as ebullitions of paſſion, which genius ought to have diſdained, as weapons of controverſy.

The arrangement of his work, is as ſingular as the matter. Availing himſelf of all the privileges of epiſtolary effuſion, in their utmoſt latitude and laxity, he interrupts, diſmiſſes, and reſumes argument at pleaſure. His ſubject is as extenſive as political ſcience ——his alluſions and excurſions reach almoſt every region of human knowledge. It muſt

be confeſſed, that in this miſcellaneous and deſultory warfare, the ſuperiority of a man of genius over common men is infinite. He can cover the moſt ignominious retreat by a brilliant alluſion. He can parade his arguments with maſterly generalſhip, where they are ſtrong. He can eſcape from an untenable poſition into a ſplendid declamation. He can ſap the moſt impregnable conviction by pathos, and put to flight a hoſt of ſyllogiſms with a ſneer. Abſolved from the laws of vulgar method, he can advance a groupe of magnificent horrors to make a breach in our hearts, through which the moſt undiſciplined rabble of arguments may enter in triumph.

Analyſis and method, like the diſcipline and armour of modern nations, correct in ſome meaſure the inequalities of controverſial dexterity, and level on the intellectual field the giant and the dwarf. Let us then analyſe the production of Mr. Burke, and diſmiſſing

what is extraneous and ornamental, we ſhall diſcover certain leading topics relevant to the point at iſſue.

The natural order of theſe topics will dictate the method of reply. Mr. Burke, availing himſelf of the indefinite and equivocal term, Revolution, has reprobated that tranſaction in *toto*. The firſt queſtion, therefore, that ariſes, is regarding the general expediency and neceſſity of a Revolution in France. This is followed in their order by the diſcuſſion of the compoſition and conduct of the National Aſſembly, of the popular exceſſes which attended the Revolution, and the New Conſtitution that is to reſult from it. The conduct of its Engliſh admirers forms the laſt topic, though it is with rhetorical inverſion firſt treated by Mr. Burke, as if the propriety of approbation ſhould be determined before diſcuſſing the merit or demerit of what was approved. In purſuance of this analyſis,

analyſis, the following ſections will compriſe the ſubſtance of our refutation.

Sect. I. *The General Expediency and neceſſity of a Revolution in France.*

II. *The Compoſition and Character of the National Aſſembly conſidered.*

III. *The Popular Exceſſes which attended, or followed the Revolution.*

IV. *The new Conſtitution of France.*

V. *The Conduct of its Engliſh Admirers juſtified.*

With this reply to Mr. Burke, will be mingled ſome ſtrictures on the late publication of Mr. Calonne. That miniſter who has for ſome time exhibited to the eyes of indignant Europe, the ſpectacle of an exiled rob-

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ber living in the moſt ſplendid impunity, has with an effrontery that beggars invective, aſſumed in his work the tone of afflicted patriotiſm, and delivers his polluted Philippics as the oracles of perſecuted virtue.

His work is more methodical than that of his coadjutor, Mr. Burke.* Of his financial calculations it may be remarked, that in a work profeſſedly popular they afford the ſtrongeſt preſumption of fraud. Their extent and

* It cannot be denied that the production of Mr. Calonne is, "eloquent, able," and certainly very "inſtructive" in what regards his own character and deſigns. But it contains one inſtance of hiſtorical ignorance ſo egregious, that I cannot reſiſt quoting it.—In his long diſcuſſion of the pretenſions of the Aſſembly to the title of a National Convention, he deduces the origin of that word from Scotland, where he informs us, p. 328. "On lui donna le nom de Convention Ecoſſoiſe, le reſultat de ſes deliberations fut appellé *Covenant* & ceux qui l'avoient ſouſcrit ou qui y adheroient *Covenanters!!*"

intricacy

intricacy ſeem contrived to extort aſſent from public indolence, for men will rather believe, than examine them. His inferences are ſo outrageouſly incredible, that moſt men of ſenſe will think it more ſafe to truſt their own plain concluſions than to enter ſuch a labyrinth of financial ſophiſtry.

The only part of his production that here demands reply, is that which relates to general political queſtions; and remarks on what he has offered concerning them will naturally find a place under the correſponding ſections of the reply to Mr. Burke. Its moſt important view is neither literary or argumentative. It appeals to judgments more deciſive than thoſe of criticiſm, and aims at wielding weapons more formidable than thoſe of logic.

It is the manifeſto of a counter revolution, and its obvious object is to inflame every paſ-

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ſion and intereſt, real or ſuppoſed, that has received any ſhock in the eſtabliſhment of freedom. He probes the bleeding wounds of the princes, the nobility, the prieſthood, and the great judicial ariſtocracy. He adjures one body by its dignity degraded, another by its inheritance plundered, and a third by its authority deſtroyed, to repair to the holy banner of his philanthropic cruſade. Confident in the protection of all the Monarchs of Europe, whom he alarms for the ſecurity of their thrones, and having inſured the moderation of a fanatical rabble, by giving out among them the ſavage *war-whoop* of atheiſm, he already fancies himſelf in full march to Paris, not there to re-inſtate the depoſed deſpotiſm (He diſclaims the purpoſe, and who would not truſt ſuch virtuous diſavowals) but at the head of this army of prieſts, nobles, mercenaries, and fanatics, to dictate as the tutelar genius of France, the eſtabliſhment, without commo-

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tion or carnage, of a juſt and temperate freedom, equally hoſtile to the views of kingly or popular tyrants.

Cruſades were an effervescence of chivalry, and the modern St. Francis has a knight for the conduct of theſe cruſaders, who will convince Mr. Burke that the age of chivalry is not paſt, nor the glory of Europe gone for ever. The Comte d'Artois*, that ſcyon worthy of Henry the Great, the rival of the Bayards and Sidneys, the new model of French Knighthood, is to iſſue from Turin with ten thouſand cavaliers for the delivery of the peerleſs and immaculate Antonietta of Auſtria from the durance vile in which ſhe has ſo long been immured in the Thuilleries, from the ſwords of the diſcourteous knights of Paris, and the ſpells of the ſable wizards of democracy.

* *Ce digne rejeton du grand Henri*—Calonne p. 413
Un nouveau modele de la Chelaverie Francoiſe. Ibid p. 414

VINDICIÆ GALLICÆ,

&c. &c.

SECTION I.

The General Expediency and Neceſſity of a Revolution in France.

IT is aſſerted in many paſſages * of Mr. Burke's work, though no where with that preciſion which the importance of the aſſertion demanded, that the *French Revolution* was not only in its parts reprehenſible, but in the whole was abſurd, inexpedient, and unjuſt; yet he has no where exactly informed us what he underſtands by the term. The French Revolution, in its moſt popular ſenſe, perhaps would be underſtood in England to

* Page 187, 200, 243, and many other paſſages.

conſiſt

conſiſt of thoſe ſplendid events that formed the prominent portion of its exterior, the Pariſian revolt, the Capture of the Baſtile, and the ſubmiſſion of the King. But theſe memorable events, though they ſtrengthened and accelerated, could not conſtitute a Political Revolution. It muſt have a change of Government, but even limited to that meaning, it is ſtill equivocal and wide.

It is capable of *three* ſenſes. The King's recognition of the rights of the States General to a ſhare in the legiſlation, was a change in the actual government of France, where the whole legiſlative and executive power had without the ſhadow of interruption for nearly two centuries been enjoyed by the Crown; in that ſenſe the meeting of the States-General was the Revolution, and the 5th of May was its æra. The union of the three orders into one aſſembly was a moſt important change in the forms and ſpirit of the

the legiſlature. This too may be called the Revolution, and the 23d of June will be its æra. This body thus united are forming a new Conſtitution. This may be alſo called a Revolution, becauſe it is of all the political changes the moſt important, and its epoch will be determined by the concluſion of the labours of the National Aſſembly.

Thus equivocal is the import of Mr. Burke's expreſſions. To extricate them from this ambiguity, a rapid ſurvey of theſe events will be neceſſary. It will prove too the fairеſt, and moſt forcible confutation of his arguments. It will beſt demonſtrate the neceſſity, and juſtice of all the ſucceſſive changes in the Conſtitution of France, which formed the mixed maſs, called the Revolution. It will diſcriminate legiſlative acts from popular exceſſes, and diſtinguiſh tranſient confuſion from future eſtabliſhment. It will evince the futility and fallacy of attri-

buting to the conſpiracy of individuals, or bodies, a Revolution which, whether it be beneficial or injurious, was operated only by general cauſes, where the moſt conſpicuous individual produced little real effect.

The Conſtitution of France reſembled in the earlier ſtages of its progreſs, that of the other Gothic governments of Europe. The hiſtory of its decline, and the cauſes of its extinction are abundantly known. Its infancy and youth were like thoſe of the Engliſh government. The *Champ de Mars*, and the *Wittenagemot*, the tumultuous aſſemblies of rude conquerors, were in both countries melted down into repreſentative bodies. But the downfall of the feudal ariſtocracy happening in France, before Commerce had elevated any other claſs of citizens into importance, its power devolved on the Crown. From the concluſion of the fifteenth century the powers of the States-General had almoſt dwindled into

into formalities. Their momentary re-appearance under Henry III. and Louis XIII. ſerved only to illuſtrate their inſignificance. Their total diſuſe ſpeedily ſucceeded.

The intruſion of any popular voice was not likely to be tolerated in the reign of Louis XIV. a reign which has been ſo often celebrated as the zenith of warlike and literary ſplendor, but which has always appeared to me to be the conſummation of whatever is afflicting and degrading in the hiſtory of the human race. Talent ſeemed, in that reign, robbed of the conſcious elevation, of the erect and manly part; which is its nobleſt aſſociate and its ſureſt indication. The mild purity of Fenelon *, the lofty ſpirit of Boſſuet, the maſculine mind of Boileau, the ſublime fervor of Corneille, were confounded by the contagion of ignominious and indiſcriminate ſervility. It ſeemed as if the "repreſentative

* "And Cambray, worthy of a happier doom,
"The virtuous ſlave of *Louis* and of ROME."

" majeſty" of the genius and intellect of man were proſtrated before the ſhrine of a ſanguinary and diſſolute tyrant, who practiſed the corruption of Courts without their mildneſs, and incurred the guilt of wars without their glory. His higheſt praiſe is to have ſupported the ſtage-trick of Royalty with effect; and it is ſurely difficult to conceive any character more odious and deſpicable, than that of a puny libertine, who, under the frown of a ſtrumpet, or a monk, iſſues the mandate that is to murder ſo many virtuous citizens, to deſolate ſo many happy and peaceful hamlets, to wring ſo many agonizing tears from widows and orphans. Heroiſm has a ſplendour that almoſt atones for its exceſſes; but what ſhall we think of the wretch, who, without hazarding his own life, from the luxurious and daſtardly ſecurity in which he wallows at Verſailles, iſſues, with the utmoſt coolneſs and calmneſs, his orders to butcher the Proteſtants of his own kingdom, or to lay in aſhes the villages of the

the Palatinate? On the recollection of ſuch ſcenes, as a ſcholar, I bluſh for the proſtitution of letters; as a man, I bluſh for the patience of humanity.

But the deſpotiſm of this reign was pregnant with the great events which have ſignalized our age. It foſtered that literature which was one day deſtined to deſtroy it. Its profligate conqueſts have eventually proved the acquiſitions of humanity; and the uſurpations of Louis XIV. have ſerved only to add a large portion to the great body of freemen. The ſpirit of its policy was inherited by the ſucceeding reign. The rage of conqueſt, repreſſed for a while by the torpid deſpotiſm of Fleury, burſt forth with renovated violence in the latter part of the reign of Louis XV. France, exhauſted alike by the misfortunes of one war and the victories of another, groaned under a weight of impoſt and debt, which it was equally difficult to

remedy or to endure. The profligate expedients were exhauſted with which ſucceſſive Miniſters had attempted to avert the great criſis, in which the credit and power of the Government muſt periſh.

The wiſe and benevolent Adminiſtration of M. Turgot, though long enough for his glory, was too ſhort, and perhaps too *early*, for thoſe ſalutary and grand reforms which his genius had conceived, and his virtue would have effected. The aſpect of purity and talent ſpread a natural alarm among the minions of a Court, and they eaſily ſucceeded in the expulſion of ſuch rare and obnoxious intruders.

The magnificent ambition of M. de Vergennes, the brilliant, profuſe and rapacious career of M. de Calonne, the feeble and irreſolute violence of M. de Brienne, all contributed their ſhare to ſwell this financial

embarraſſment.

embarraſſment. The *deficit*, or inferiority of the revenue to the expenditure, at length roſe to the enormous ſum of 115 millions of livres, or about 4,750,000*l.* annually *. This was a diſproportion between income and expenſe with which no Government, and no individual, could long continue to exiſt.

In this exigency there was no expedient left, but to guarantee the ruined credit of bankrupt deſpotiſm by the ſanction of the national voice. The States General were a dangerous mode of collecting it. Recourſe was therefore had to the Aſſemby of the *Notables*, a mode well known in the hiſtory of

* For this we have the authority of M. de Calonne himſelf. See his late Publication, page 56. This was the account preſented to the Notables in April, 1787. He, indeed, makes ſome deductions on account of part of this *deficit* being expirable. But this is of no conſequence to our purpoſe, which is to view the influence of the *preſent* urgency, the political, not the financial ſtate of the queſtion.

France, in which the King ſummoned a number of individuals, ſelected, at *his* diſcretion, from the maſs, to adviſe him in great emergencies. They were little better than a popular Privy Council. They were neither recognized nor protected by the law. Their precarious and ſubordinate exiſtence hung on the nod of deſpotiſm.

They were called together by M. Calonne, who has now the inconſiſtent arrogance to boaſt of the ſchemes which he laid before them, as the model of the Aſſembly whom he traduces. He propoſed, it is true, the equalization of impoſt, and the abolition of the pecuniary exemptions of the nobility and clergy; and the difference between his ſyſtem and that of the Aſſembly, is only in what makes the ſole diſtinction in human actions—*its end.* He would have deſtroyed the privileged orders, as obſtacles to deſpotiſm. They have deſtroyed them, as derogations from freedom.

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The object of his plans was to facilitate *Fiſcal* oppreſſion. The motive of theirs is to fortify general liberty. They have levelled all Frenchmen as men—he would have levelled them all as ſlaves.

The Aſſembly of the Notables, however, ſoon gave a memorable proof, how dangerous all public meetings of men, even without legal powers of controul, are to the permanence of deſpotiſm. They had been aſſembled by M. Calonne to admire the plauſibility and ſplendour of his ſpeculations, and to veil the extent and atrocity of his rapine. But the fallacy of the one, and the profligacy of the other, were detected with equal eaſe. Illuſtrious and accompliſhed orators, who have ſince found a nobler ſphere for their talents, in a more free and powerful Aſſembly, expoſed this plunderer to the Notables. Deteſted by the Nobles and Clergy, of whoſe privileges he had ſuggeſted the abolition; undermined

undermined in the favour of the Queen by his attack on one of her favourites *(Breteuil)*; expoſed to the fury of the people, and dreading the terrors of judicial proſecution, he ſpeedily ſought refuge in England, without the recollection of one virtue, or the applauſe of one party, to conſole his retreat *.

Thus did the Notables deſtroy their creator. Little appeared to be done to a ſuperficial obſerver; but to a diſcerning eye, ALL was done; for the dethroned authority of Public opinion was reſtored. The ſucceeding Miniſters, uninſtructed by the example of their predeceſſors, by the deſtruction of Public credit, and the fermentation of the popular mind, hazarded meaſures of a ſtill more prepoſterous and hazardous deſcription. The uſurpation of ſome ſhare in the Sovereignty by the Parliament of Paris, had become po-

* Hiſtoire de la Revolution en 1789, &c. tom i. p. 18 & 19.

pular

pular and venerable, becauſe its tendency was uſeful, and its exerciſe uſually virtuous.—That body had, as it is well known, claimed a right, which, in fact, amounted to a negative on all the acts of the King. They contended, that their regiſtering his Edicts was neceſſary to give them force. They would, in that caſe, have poſſeſſed the ſame ſhare of legiſlation with the King of England.

It is unneceſſary to deſcant on the hiſtorical fallacy, and political inexpediency, of doctrines, which ſhould veſt in a narrow Ariſtocracy of Lawyers, who had bought their places, ſuch extenſive powers. It cannot be denied that their reſiſtance had often proved ſalutary, and was ſome feeble check on the capricious wantonneſs of deſpotic exaction. But the temerity of the Miniſter now aſſigned them a more important part. They refuſed to regiſter two Edicts for the creation of impoſts. They averred, that the power of impoſing

poſing taxes was veſted only in the National Repreſentatives, and they claimed the immediate convocation of the States General of the kingdom. The Miniſter baniſhed them to Troyes. But he ſoon found how much the French were changed from that abject and frivolous people, which had ſo often endured the exile of its Magiſtrates. Paris exhibited the tumult and clamour of a London mob.

The Cabinet, which could neither advance nor recede with ſafety, had recourſe to the expedient of a compulſory regiſtration. The Duke of Orleans, and the Magiſtrates who proteſted againſt this execrable mockery, were exiled or impriſoned. But all theſe hacknied expedients of deſpotiſm were in vain. Theſe ſtruggles, which merit notice only as they illuſtrate the progreſſive energy of Public opinion, were followed by events ſtill leſs equivocal. *Lettres de Cachet* were iſſued againſt *M. M. d'Epreſmenil & Goeſtard.* They took refuge

refuge in the ſanctuary of juſtice, and the Parliament pronounced them under the ſafeguard of the law and the King. A deputation was ſent to Verſailles, to intreat his Majeſty to liſten to ſage counſels. Paris expected, with impatient ſolicitude, the reſult of this deputation; when towards midnight, a body of 2000 troops marched to the Palace where the Parliament were ſeated, and their Commander, entering into the Court of Peers, demanded his victims. A loud and unanimous acclamation replied, "We are all *d'Epreſmenil & Goeſtard!*" Theſe Magiſtrates ſurrendered themſelves, and the ſatellite of deſpotiſm led them off in triumph, amid the execrations of an indignant and awakening people.

Theſe *ſpectacles* were not without their effect. The ſpirit of reſiſtance ſpread daily over France. The intermediate commiſſion of the States of Bretagne, the States of Dauphiné, and

and many other public bodies, began to aſſume a new and menacing tone. The Cabinet diſſolved in its own feebleneſs, and M. Necker was recalled. That Miniſter, upright probably, and not illiberal, but narrow, puſillanimous, and entangled by the habits of detail * in which he had been reared, poſſeſſed not that erect and intrepid ſpirit, thoſe enlarged and original views, which adapt themſelves to new combinations of circumſtances, and ſway in the great convulſions of human affairs. Accuſtomed to the tranquil accuracy of commercial, or the elegant amuſements of literature, he was "called on to ride in the

* The late celebrated Dr. Adam Smith always held this opinion of Necker, whom he had known intimately when a Banker in France. He predicted the fall of his fame when his talents ſhould be brought to the teſt, and always emphatically ſaid, "He is but a man of detail." At a time when the commercial abilities of Mr. Eden, the preſent Lord Auckland, were the theme of profuſe eulogy, Dr. Smith characterized him in the ſame words.

"whirlwind,

" whirlwind, and direct the ſtorm." He ſeemed ſuperior to his privacy while he was limited to it, and would have been adjudged by hiſtory equal to his elevation, had he never been elevated. The reputation of few men, it is true, has been expoſed to ſo ſevere a teſt; and a generous obſerver will be diſpoſed to ſcrutinize leſs rigidly the claims of a Stateſman, who has retired with the applauſe of no party, who is deteſted by the Ariſtocracy as the inſtrument of their ruin, and deſpiſed by the Democratic Leaders for puſillanimous and fluctuating policy.

But had the character of M. Necker poſſeſſed more originality or deciſion, it could have had little influence on the fate of France. The minds of men had received an impulſe. Individual aid and individual oppoſition were equally vain. His views, no doubt, extended only to palliation, but he was involved in a ſtream of opinions and events, of which no force

force could reſiſt the current, and no wiſdom adequately predict the termination. He is repreſented by M. Calonne as the Lord Sunderland of Louis XVI. ſeducing the King to deſtroy his own power. But he had neither genius or boldneſs for ſuch deſigns.

To return to our rapid ſurvey.—The Autumn of 1788 was peculiarly diſtinguiſhed by the enlightened and intereſted patriotiſm of the States of Dauphiné. They furniſhed, in many reſpects, a model for the future Senate of France. Like them they deliberated amid the terrors of miniſterial vengeance and military execution. They annihilated the abſurd and deſtructive diſtinction of orders, and the three eſtates were melted into a Provincial Aſſembly; and they declared, that the right of impoſing taxes reſided ultimately in the States General of France. They voted a deputation to the King to ſolicit the convocation of that Aſ-

ſembly.

ſembly. They were emulouſly imitated by all the Provinces that ſtill retained the ſhadow of Provincial States. The States of Languedoc, of Velay, and Vivarois, the Tiers Etat of Provence, and all the municipalities of Bretagne, adopted ſimilar reſolutions. In Provence and Bretagne, where the Nobles and Clergy, trembling for their privileges, and the Parliaments for their juriſdiction, attempted a feeble reſiſtance, the fermentation was peculiarly ſtrong. Some eſtimate of the fervor of Public ſentiment may be formed from the reception of the Count de Mirabeau in his native Province, where the Burgeſſes of *Aix* aſſigned him a body-guard, where the Citizens of Marſeilles crowned him in the theatre, and where, under all the terrors of deſpotiſm, he received as numerous and tumultuous proofs of attachment, as ever were beſtowed on a favourite by the enthuſiaſm of the moſt free people. M. Caraman, the Governor of Provence, was even reduced to im-

plore his interpoſition with the populace, to appeaſe and prevent their exceſſes. The conteſt in Bretagne was more violent and ſanguinary. It had preſerved its independence more than any of thoſe Provinces which had been united to the Crown of France. The Nobles and Clergy poſſeſſed almoſt the whole power of the States, and their obſtinacy was ſo great, that their Deputies did not take their ſeats in the National Aſſembly till an advanced period of its proceedings.

The return of M. Necker, and the recall of the exiled Magiſtrates, reſtored a momentary calm. The perſonal reputation of the Miniſter for probity re-animated the credit of France. But the finances were too irremediably embarraſſed for palliatives; and the faſcinating idea of the States General, preſented to the Public imagination by the unwary zeal of the Parliament, awakened recollections of ancient freedom, and proſpects

of

of future ſplendor, which the virtue or popularity of no Miniſter could baniſh. The convocation of that body was reſolved.—But many difficulties, reſpecting the mode of electing and conſtituting it, remained, which a ſecond Aſſembly of Notables was ſummoned to decide.

The Third Eſtate demanded repreſentatives equal to thoſe of the other two orders jointly. They required that the number ſhould be regulated by the population of the diſtricts, and that the three Orders ſhould vote in one Aſſembly. All the Committees into which the Notables were divided, except that of which MONSIEUR was Preſident, decided againſt the Third Eſtate in every one of theſe particulars. They were ſtrenuouſly ſupported by the Parliament of Paris, who, too late ſenſible of the ſuicide into which they had been betrayed, laboured to render the Aſſembly impotent, when they were unable to pre-

vent its meeting. But their efforts were in vain. M. Necker, whether actuated by reſpect for juſtice, or ambition of popularity, or yielding to the irreſiſtible torrent of Public ſentiment, adviſed the King to adopt the propoſitions of the *Third Eſtate* in the two firſt particulars, and to leave the laſt to be decided by the States General themſelves.

Letters Patent were accordingly iſſued on the 24th of January, 1789, for aſſembling the States General *, to which were annexed regulations for the detail of their elections. In the conſtituent Aſſemblies of the ſeveral Provinces, Bailliages, and Conſtabularies of the kingdom, the progreſs of the Public mind became ſtill more evident. The Clergy and Nobility ought not to be denied the praiſe of having emulouſly ſacrificed their pecuniary

* Lettre du Roi pour la convocation des Etats Generaux & reglement pour l'execution des lettres de convocation, donné le 24 Janvier, 1789.

privileges,

privileges. The inſtructions to the Repreſentatives breathed every where a ſpirit of freedom as ardent, though not ſo liberal and enlightened, as that which has ſince preſided in the deliberations of the National Aſſembly. Paris was eminently conſpicuous. The union of talent, the rapid communication of thought, and the frequency of thoſe numerous aſſemblies, where men learn their force, and compare their wrongs*, ever make a great capital, the heart that circulates emotion and opinion to the extremities of an empire. No ſooner had the convocation of the States General been announced, than the batteries of the preſs were opened. Pamphlet ſucceeded pamphlet, ſurpaſſing each other in boldneſs and elevation; and the advance of Paris to light and freedom was greater in three months than it had been in almoſt as many centuries.

* *Conferre injurias & interpretando accendere.* Tac.

Doctrines * were univerſally received in May, which in January would have been deemed treaſonable, and which in March were derided as the viſions of a few deluded fanatics.

It was amid this rapid diffuſion of light, and increaſing fervor of Public ſentiment, that the States General of France aſſembled at Verſailles on the 5th of May, 1789; a day which will probably be accounted by poſterity one of the moſt memorable in the annals of the human race. Any detail of the parade

* The principles of freedom had long been underſtood, perhaps better than in any country of the world, by the philoſophers of France. It was as natural that they ſhould have been more diligently cultivated in that kingdom than in England, as that the ſcience of medicine ſhould be leſs underſtood and valued among ſimple and vigorous, than among luxurious and enfeebled nations. But the progreſs which we have noticed was among the leſs inſtructed part of ſociety.

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and ceremonial of their Aſſembly would be totally foreign to our purpoſe, which is not to narrate events, but to ſeize their ſpirit, and to mark their influence on the political progreſs from which the Revolution was to ariſe. The preliminary operation neceſſary to conſtitute the Aſſembly, gave riſe to the firſt great queſtion—The mode of authenticating the commiſſions of the Deputies. It was contended, by the Clergy and Nobles, that, according to ancient uſage, each Order ſhould ſeparately ſcrutinize and authenticate the commiſſions of its own Deputies. It was argued by the Commons, that, on general principles, all Orders, having an equal intereſt in the purity of the national repreſentative, had an equal right to take cognizance of the authenticity of the commiſſions of all the members who compoſe it, and therefore to ſcrutinize them in common. To the authority of precedent it was anſwered, that it would eſtabliſh too much; for in the an-

cient States, their examination of powers was ſubordinate to the reviſion of Royal Commiſſaries, a ſubjection too degrading and injurious for the free and vigilant ſpirit of an enlightened age. This controverſy involved another of more magnitude and importance. If the Orders united in this ſcrutiny, they were likely to continue in one Aſſembly, the ſeparate voices of the two firſt Orders would be annihilated, and the importance of the Nobility and Clergy reduced to that of their individual ſuffrages.

This great Revolution was obviouſly meditated by the leaders of the Commons.—They were ſeconded in the Chamber of the Nobleſſe by a minority eminently diſtinguiſhed for rank, character, and talent. The obſcure and uſeful portion of the Clergy were, from their ſituation, acceſſible to popular ſentiment, and naturally coaleſced with the Commons. Many who favoured the *diviſion* of

of the Legiſlature in the ordinary arrangements of Government, were convinced that the grand and radical reforms, which the ſituation of France demanded, could only be effected by its union as one Aſſembly *. So many prejudices were to be vanquiſhed, ſo

* " Il n'eſt pas douteux que pour aujourd'hui, que pour " cette premier tenue une CHAMBRE UNIQUE n'ait été " préferable & peut-être *neceſſaire*. Il y avoit tant de diffi- " cultés à ſurmonter, tant de prejuges à vaincre, tant de " ſacrifices à faire, de ſi vieilles habitudes à deraciner, une " puiſſance ſi forte à contenir, en un mot, tant à detruire & " *preſque tout à creer*."—" Ce novel ordre de choſes que " vous avez fait eclore, tout cela vous en êtes bien ſurs n'a " jamais pu naitre que de la reunion de toutes les perſonnes, " de tous les ſentiments, & de tous les cœurs."—*Diſcourſe de M. Lally Tolendahl à l'Aſſemblée Nationale*, 31 *Aout*, 1789, *dans ſes Pieces Juſtificatifs*, *p.* 105—6.——This paſſage is in more than one reſpect remarkable. It fully evinces the conviction of the Author, that changes were neceſſary great enough to deſerve the name of a Revolution; and, conſidering the reſpect of Mr. BURKE for his authority, ought to have weight with him.

many

many difficulties to be ſurmounted, ſuch obſtinate habits to be extirpated, and ſo formidable a power to be reſiſted, that there was an obvious neceſſity to concentrate the force of the reforming body. In a great Revolution, every expedient ought to facilitate change. In an eſtabliſhed Government, every thing ought to render it difficult. Hence the diviſion of a Legiſlature, which in an eſtabliſhed Government may give a beneficial ſtability to the laws, muſt, in a moment of Revolution, be proportionably injurious, by fortifying abuſe and unnerving reform. In a Revolution, the enemies of freedom are external, and all powers are therefore to be united. Under an eſtabliſhment her enemies are internal, and power is therefore to be divided.

But beſides this general conſideration, the ſtate of France furniſhed others of more local and temporary cogency. The States General,

neral, acting by ſeparate Orders, were a body from which no ſubſtantial reform could be hoped. The two firſt Orders were intereſted in the perpetuity of every abuſe that was to be reformed. Their poſſeſſion of two equal and independent voices muſt have rendered the exertions of the Commons impotent and nugatory, and a colluſion between the Aſſembly and the Crown, would probably have limited its illuſive reforms to ſome ſorry palliatives, the *price* of financial diſembarraſſment. The ſtate of a nation lulled into complacent ſervitude by ſuch petty conceſſions, is far more hopeleſs than that of thoſe who groan under the moſt galling yoke of deſpotiſm, and the condition of France would have been more irremediable than ever. Such reaſonings produced an univerſal conviction, that the queſtion, whether the States General was to vote individually, or in Orders, was a queſtion, whether they were or were not to produce any important benefit. Guided by

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theſe views, and animated by Public ſupport, the Commons adhered inflexibly to their principle of incorporating the three Orders. They adopted a *proviſory* organization, but ſtudiouſly declined whatever might ſeem to ſuppoſe legal exiſtence, or to arrogate conſtitutional powers. The Nobles, leſs politic or timid, declared themſelves a legally conſtituted Order, and proceeded to diſcuſs the great objects of their convocation. The Clergy affected to preſerve a mediatorial character, and to conciliate the diſcordant claims of the two hoſtile Orders. The Commons, faithful to their ſyſtem, remained in a wiſe and maſterly inactivity, which tacitly reproached the arrogant aſſumption of the Nobles, while it left no pretext to calumniate their own conduct, gave time for the growth of popular fervor, and diſtreſſed the Court by the delay of financial aid. Several conciliatory plans were propoſed by the Miniſter, and rejected by the haughtineſs of the Nobility and the policy of the Commons.

Thus paſſed the period between the 5th of May and the 12th June, when the popular leaders, animated by public ſupport, and conſcious of the maturity of their ſchemes, aſſumed a more reſolute tone.

The Third Eſtate commenced the ſcrutiny of commiſſions, ſummoned the Nobles and Clergy to repair to the Hall of the States-General, and reſolved that the abſence of the Deputies of ſome diſtricts and claſſes of citizens could not preclude them, who formed the repreſentatives of ninety-ſix hundred parts of the nation, from conſtituting themſelves into a National Aſſembly.

Theſe deciſive meaſures betrayed the deſigns of the Court, and fully illuſtrated that bounty and liberality for which Lewis XVI. has been ſo idly celebrated. That feeble Prince, whoſe public character varied with every fluctuation in his cabinet, the inſtrument

ment alike of the ambition of Vergennes, the prodigality of Calonne, and the oſtentatious popularity of Necker, had hitherto yielded to the embarraſſment of the finances, and the clamor of the people. The cabal that retained its aſcendant over his mind, permitted conceſſions which they hoped to make vain, and flattered themſelves with fruſtrating, by the conteſt of ſtruggling Orders, all idea of ſubſtantial reform. No ſooner did the Aſſembly betray any ſymptom of activity and vigor, than their alarms became conſpicuous in the Royal conduct. The Comte d'Artois, and the other Princes of the Blood, publiſhed the boldeſt manifeſtoes againſt the Aſſembly; the credit of M. Necker at Court every day declined; the Royaliſts in the Chamber of the Nobleſſe ſpoke of nothing leſs than an impeachment of the Commons for high treaſon; and an immediate diſſolution of the States; a vaſt military force and a tremenduous artillery was collected from all parts of the king-

dom

dom towards Verſailles and Paris, and in theſe menacing and inauſpicious circumſtances, the meeting of the States General was prohibited by the King's order till a Royal Seſſion, which was deſtined for the 22d, but held on the 23d of June. The Commons, on repairing to their Hall on the 20th, found it inveſted with ſoldiers, and themſelves excluded from it by the point of the bayonet. They were ſummoned by their Preſident to a *Tennis-court*, where they were reduced to hold their aſſembly, and which they illuſtrated as the ſcene of their unanimous and memorable oath, never to ſeparate till they had atchieved the regeneration of France.

The *Royal Seſſion* thus announced, correſponded with the new tone of the Court. Its exterior was marked by the gloomy and ferocious haughtineſs of deſpotiſm. The Royal puppet was now evidently moved by different perſons from thoſe who had prompted *its*

ſpeech at the opening of the States. He probably ſpoke both with the ſame ſpirit and the ſame heart, and felt as little firmneſs under the cloak of arrogance, as he had been conſcious of ſenſibility amid his profeſſions of affection. He was probably as feeble in the one as he had been cold in the other; but his language is ſome criterion of the ſyſtem of his prompters.

This ſpeech was diſtinguiſhed by inſulting condeſcenſion and oſtentatious menace. He ſpoke not as the Chief of a free nation to its Sovereign Legiſlature, but as a Sultan to his Divan. He *annulled* and *preſcribed* deliberations at pleaſure. He affected to repreſent his will as the rule of their conduct, and his bounty as the ſource of their freedom. Nor was the matter of his harangue leſs injurious than its manner was offenſive. Inſtead of containing any conceſſion important to Public liberty, it indicated a relapſe into a more lofty

deſpotiſm

deſpotiſm than had before marked his pretenſions. Tithes, feudal, and ſeignorial rights, he conſecrated as the moſt inviolable property; and of *Lettres de Cachet* themſelves, by recommending the regulation, he obviouſly condemned the abolition. The diſtinction of Orders he conſidered as eſſential to the Conſtitution of the kingdom, and their union as only legitimate by his permiſſion. He concluded with commanding them to ſeparate, and to aſſemble on the next day, in the Halls of their reſpective Orders.

The Commons, however, inflexibly adhering to their principles, and conceiving themſelves conſtituted as a National Aſſembly, treated theſe threats and injunctions with equal neglect. They remained aſſembled in the Hall which the other Orders had quitted, in obedience to the Royal command, and when the Marquis de Breze, the King's Maſter of Ceremonies, reminded them of his

Majeſty's orders, he was anſwered by *M. Bailli*, with Spartan energy, "The Nation aſſembled has no ORDERS to receive." They proceeded to paſs reſolutions declaratory of adherence to their former decrees, and of the perſonal inviolability of the members. The Royal Seſſion, which the Ariſtocratic party had expected with ſuch triumph and confidence, proved the ſevereſt blow to their cauſe. Forty-nine members of the Nobility, at the head of whom was the Duke of Orleans, repaired on the 26th of June to the Aſſembly.* The popular enthuſiaſm was enflamed to ſuch a degree, that alarms were either felt, or affected, for the ſafety of the King, if the union of Orders was delayed. This union was accordingly reſolved on, and

* It deſerves remark, that in this number were Noblemen who have ever been conſidered as of the *moderate* party.—Of theſe may be mentioned M. M. Lally Virieu, and Clermont Tonnerre, none of whom certainly can be accuſed of democratic enthuſiaſm.

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the Duke of Luxemburg, Preſident of the Nobility, was authorized by his Majeſty to announce to his Order the requeſt and even command of the King, to unite themſelves with the other Orders. He remonſtrated with the King on the fatal conſequences of this ſtep. The Nobility, he remarked, were not fighting their own battles; but thoſe of the Crown. The ſupport of the Monarchy was inſeparably connected with the diviſion of the States General. Divided, that body was ſubject to the Crown—united, its authority was ſovereign, and its force irreſiſtible.* The King was not, however, ſhaken by theſe conſiderations; and on the following day, in an official letter to the Preſidents of the Nobility and Clergy, he notified his pleaſure. A gloomy and re-

* Theſe remarks of M. de Luxemburg are equivalent to a thouſand defenſes of the Revolutioniſts againſt Mr. Burke. They unanſwerably prove that the diviſion of Orders was ſupported *only* as neceſſary to palſy the efforts of the Legiſlature againſt the Deſpotiſm.

luctant obedience was yielded to this mandate, and the union of the National Repreſentatives at length promiſed ſome hope to France.

But the general ſyſtem of the Government formed a ſuſpicious and tremendous contraſt with this applauded conceſſion. New *hordes* of foreign mercenaries were ſummoned to the blockade of Paris and Verſailles, from the remoteſt Provinces; an immenſe train of artillery was diſpoſed in all the avenues of theſe cities; and ſeventy thouſand men already inveſted the Legiſlature and Capital of France, when the laſt blow was hazarded againſt the public hopes, by the ignominous baniſhment of M. Necker. Events followed the moſt unexampled and memorable in the annals of mankind, which hiſtory will record and immortalize, but on which the object of the political reaſoner is only to ſpeculate. France was on the brink of civil war. The Pro-

vinces were ready to march immenſe bodies to the reſcue of their Repreſentatives. The Courtiers and their minions, Princes and Princeſſes, male and female favourites, crowded to the camps with which they had inveſted Verſailles, and ſtimulated the ferocious cruelty of their mercenaries, by careſſes, by largeſſes, and by promiſes. Mean time the people of Paris revolted, the French ſoldiery felt that they were citizens, and the fabric of Deſpotiſm fell to the ground.

Theſe ſoldiers, whom poſterity will celebrate for patriotic heroiſm, are ſtigmatized by Mr. Burke as "baſe hireling deſerters," who ſold their King for an increaſe of pay *.

* Mr. Burke is ſanctioned in this opinion by an authority not the moſt reſpectable, that of his late countryman *Count Dalton*, Commander of the Auſtrian troops in the Netherlands. In *September*, 1789, he addreſſed the *Regiment de Ligne*, at Bruſſels, in theſe terms, "J'eſpere que "vous n'imiterez jamais ces laches Francois qui ont aban- "donné leur Souverain."

This poſition he every where aſſerts or inſinuates; but nothing ſeems more falſe. Had the defection been confined to Paris, there might have been ſome ſpecioufneſs in the accuſation. The Exchequer of a faction might have been equal to the corruption of the guards. The activity of intrigue might have ſeduced by promiſe, the troops cantoned in the neighbourhood of the capital. But what policy, or fortune, could pervade by their agents, or donatives, an army of 150,000 men, diſperſed over ſo great a monarchy as France. The ſpirit of reſiſtance to *uncivic* commands broke forth at once in every part of the empire. The garriſons of the cities of Rennes, Bourdeaux, Lyons, and Grenoble, refuſed almoſt at the ſame moment, to reſiſt the virtuous inſurrection of their fellow citizens. No largeſſes could have traduced, no intrigues could have reached ſo vaſt and divided a body. Nothing but ſympathy with the national ſpirit could have produced their

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noble diſobedience. The remark of Mr. Hume, is here moſt applicable, that what depends on a few may be often attributed to chance *(ſecret circumſtances)* but that the actions of great bodies muſt ever be aſcribed to general cauſes. It was the apprehenſion of *Monteſquieu*, that the ſpirit of increaſing armies would terminate in converting Europe into an immenſe camp, in changing our artizans and cultivators into military ſavages, and reviving the age of Attila and Genghis. Events are our preceptors, and France has taught us that this evil contains in itſelf its own remedy and limit. A domeſtic army cannot be increaſed without increaſing the number of its ties with the people, and of the channels by which popular ſentiment may enter it. Every man that is added to the army is a new link that unites it to the nation. If all citizens were compelled to become ſoldiers, all ſoldiers muſt of neceſſity adopt the feelings of citizens, and the deſpots cannot increaſe their

army without admitting into it a greater number of men intereſted to deſtroy them. A ſmall army may have ſentiments different from the great body of the people, and no intereſt in common with them, but a numerous ſoldiery cannot. This is the barrier which nature has oppoſed to the increaſe of armies. They cannot be numerous enough to enſlave the people, without becoming the people itſelf. The effects of this truth have been hitherto conſpicuous only in the military defection of France, becauſe the enlightened ſenſe of general intereſt has been ſo infinitely more diffuſed in that nation than in any other deſpotic monarchy of Europe. But they muſt be felt by all. An elaborate diſcipline may for a while in Germany debaſe and brutalize ſoldiers too much to receive any impreſſions from their fellow men—artificial and local inſtitutions are, however, too feeble to reſiſt the energy of natural cauſes. The conſtitution of man ſurvives the tranſient faſhions of deſ-

potiſm,

potiſm, and the hiſtory of the next century will probably evince on how frail and tottering a baſis the military tyrannies of Europe ſtand.

The pretended ſeduction of the French troops by the promiſe of increaſed pay, is in every view contradicted by facts. This increaſe of pay did not originate in the Aſſembly. It was not therefore any part of their policy—It was preſcribed to them by the inſtructions of their conſtituents, before the meeting of the States.* It could not therefore be the project of any cabal of demagogues to ſeduce the army; it was the deciſive and unanimous voice of the nation, and if there was any conſpiracy, it muſt have been that of the people. What had the demagogues

* I appeal to M. Calonne, as an authority beyond ſuſpicion on this ſubject—See his Summary of the *Cahiers*, or Inſtructions. Art. 73.—" *L'Augmentation de la Paie du Soldat.*" Calonne, p. 390.

to

to offer. The ſoldiery knew that the States muſt, in obedience to their inſtructions, increaſe their pay. That therefore was no temptation to ſell their King, for of that they felt themſelves already ſecure, as the national voice had preſcribed it. It was in fact a neceſſary part of the ſyſtem which was to raiſe the army to a body of reſpectable citizens, from a gang of mendicant ruffians.

It muſt infallibly operate to limit the increaſe of armies in the north. This influence has been already felt in the Netherlands, which fortune ſeems to have reſtored to Leopold, that they might furniſh a ſchool of revolt to German ſoldiers. The Auſtrian troops have there murmured at their comparative indigence, and ſupported their plea for increaſe of pay by the example of France. The ſame example muſt operate on the other armies of Europe. The ſolicitations of armed petitioners muſt be heard. The indigent deſpots

ſpots of Germany and the North will feel a limit to their military rage, in the ſcantineſs of their Exchequer. They will be compelled to reduce the number, and increaſe the pay of their armies, and a new barrier will be oppoſed to the progreſs of that depopulation and barbariſm, which philoſophers had dreaded from the rapid encreaſe of military force. Theſe remarks on the ſpirit which actuated the French army in their unexampled, miſconceived, and calumniated conduct, are peculiarly important, as they ſerve to illuſtrate a principle, which cannot too frequently be preſented to view, that in the French Revolution all is to be attributed to general cauſes influencing the whole body of the people, and almoſt nothing to the ſchemes and the aſcendant of individuals.

But to return to our rapid ſketch. It was at the moment of the Pariſian revolt, and of the defection of the army, that the whole

whole power of France devolved on the National Aſſembly. It is at that moment, therefore, that the diſcuſſion commences, whether that body ought to have re-eſtabliſhed and reformed the Government *which events had ſubverted*, or proceeded to the eſtabliſhment of a new Conſtitution, on the general principles of reaſon and freedom. The arm of the ancient Government had been palſied, and its power reduced to formality, by events over which the Aſſembly poſſeſſed no controul. It was theirs to decide, not whether the monarchy was to be ſubverted, for that had been already effected, but whether from its ruins fragments were to be collected for the re-conſtruction of the political edifice.

They had been aſſembled as an ordinary Legiſlature under exiſting laws. They were transformed by theſe events into a NATIONAL CONVENTION, and veſted with powers to organize

organize a Government. It is in vain that their adverſaries conteſt this aſſertion, by appealing to the deficiency of forms *. It is in vain to demand the legal inſtrument that changed their Conſtitution, and extended their powers. Accurate forms in the conveyance of power are preſcribed by the wiſdom of law, in the regular adminiſtration of States. But great Revolutions are too immenſe for technical formality. All the ſanction that can be hoped for in ſuch events, is the voice of the people, however informally and irregularly expreſſed. This cannot be

* This circumſtance is ſhortly ſtated by Mr. Burke. "I can never conſider this Aſſembly as any thing elſe than a voluntary aſſociation of men, who have availed themſelves of circumſtances to ſeize upon the power of the State.——They do not hold the authority they exerciſe under any Conſtitutional law of the State. They have departed from the inſtructions of the people that ſent them, &c." Burke, p. 242—3. The ſame argument is treated by M. Calonne, in an expanded memorial of 44 pages, againſt the pretenſions of the Aſſembly to be a convention, with much unavailing ingenuity and labour.—See his Work from p. 314 to 358.

pretended to have been wanting in France. Every other ſpecies of authority was annihilated by popular acts, but that of the States General. On them, therefore, devolved the duty of exerciſing their *unlimited** truſt, ac-

* A diſtinction made by Mr. Burke between the *abſtract* and *moral* competency of a Legiſlature (p. 27) has been much extolled by his admirers. To me it ſeems only a novel and objectionable mode of diſtinguiſhing between a *right* and the *expediency* of uſing it. But the mode of illuſtrating the diſtinction is far more pernicious than a mere novelty of phraſe. This moral competence is ſubject, ſays our author, to "faith, juſtice, and fixed fundamental policy." Thus illuſtrated, the diſtinction appears liable to a double objection. It is falſe that the *abſtract* competence of a Legiſlature extends to the violation of faith and juſtice. It is falſe that its *moral* competence does not extend to the moſt fundamental policy, and thus to confound fundamental policy with faith and juſtice, for the ſake of ſtigmatizing innovators, is to ſtab the vitals of morality. There is only one maxim of policy truly fundamental—*the good of the governed*—and the ſtability of that maxim, rightly underſtood, demonſtrates the mutability of all policy that is ſubordinate to it.

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cording to their beſt views of general intereſt. Their enemies have, even in their invectives, confeſſed the *ſubſequent adherence* of the people, for they have inveighed againſt it as the infatuation of a dire fanaticiſm. The authority of the Aſſembly was then firſt conferred on it by Public confidence, and its acts have been ſince ratified by Public approbation. Nothing can betray a diſpoſition to puny and technical ſophiſtry more ſtrongly, than to obſerve with M. Calonne, that this ratification, to be valid, ought to have been made by France, not in her new organization of municipalities, but in her ancient diviſion of Bailliages and Provinces. The ſame *individuals* act in both forms. The approbation of the *men* legitimates the Government. It is of no importance, whether they are aſſembled as Bailliages, or as municipalities. If this latitude of informality, this ſubjection of laws to their principle, and of Government to its ſource, are not permitted in Revolutions,

how are we to juſtify the aſſumed authority of the Engliſh Convention of 1688? "They "did not hold the authority they exerciſed "under any conſtitutional law of the State." They were not even *legally* elected, as the French Aſſembly muſt be confeſſed to have been. An evident, though irregular ratification by the people, alone legitimated their acts. Yet they poſſeſſed, by the confeſſion of Mr. Burke, an authority only limited by prudence and virtue. Had the people of England given *inſtructions* to the Members of that Convention, its ultimate meaſures would probably have departed as much from them as the French Aſſembly have deviated from thoſe of their conſtituents, and the public acquieſcence in the deviation would, in all likelihood, have been the ſame.

It will be confeſſed by any man who has conſidered the public temper of England, at the landing of William, that the majority of thoſe

thoſe inſtructions would not have proceeded to the depoſition of James. The firſt aſpect of theſe great changes perplex and intimidate men too much for juſt views and bold reſolutions. It is by the progreſs of events, that their hopes are emboldened, and their views enlarged.

This influence was felt in France. The people, in an advanced period of the Revolution, virtually recalled the inſtructions by which the feebleneſs of their political infancy had limited the power of their Repreſentatives, in ſanctioning acts which contradicted them. The formality of inſtructions was indeed wanting in England, but the change of public ſentiment, from the opening of the Convention to its ultimate deciſion, was as remarkable as the contraſt which has been ſo oſtentatiouſly diſplayed by M. Calonne, between the decrees of the National Aſſembly and the firſt inſtructions of their conſtituents.

Thus feeble are the objections againſt the authority of the Aſſembly.

We now reſume the conſideration of its exerciſe, and proceed to enquire whether they ought to have reformed, or deſtroyed their Government. The general queſtion of innovation is an exhauſted common-place, to which the genius of Mr. Burke has been able to add nothing but ſplendor and felicity of illuſtration. It has long been ſo notoriouſly of this nature, that it is placed by Lord Bacon among the ſportive conteſts which are to exerciſe rhetorical ſkill. No man will ſupport the extreme on either ſide. Perpetual change and immutable eſtabliſhment are equally indefenſible. To deſcend therefore from theſe barren generalities to a more near view of the queſtion, let us ſtate it more preciſely. *Was the Civil Order in France* corrigible, *or was it neceſſary to* deſtroy *it?* Not to mention the extirpation of the feudal ſyſtem, and the

the abrogation of the civil and criminal code, we have firſt to conſider the deſtruction of the three great corporations of the Nobility, the Church and the Parliaments. Theſe three Ariſtocracies were the pillars which in fact formed the Government of France. The queſtion then of *reforming* or *deſtroying* theſe bodies is fundamental. There is one general principle applicable to them all adopted by the French Legiſlators—*that the exiſtence of Orders is repugnant to the principles of the ſocial union*. An Order is a *legal* rank, a body of men combined and endowed with privileges by law.—— There are two kinds of inequality, the one perſonal—that of talent and virtue, the ſource of whatever is excellent and admirable in ſociety—the other that of fortune, which muſt exiſt, becauſe *property* alone can ſtimulate to labour; and labour, if it were not neceſſary to the exiſtence, would be indiſpenſible to the happineſs of man. But though it be neceſſary, yet in its exceſs it is the great malady

of civil ſociety. The accumulation of that power which is conferred by wealth in the hands of the few, is the perpetual ſource of oppreſſion and neglect to the maſs of mankind. The power of the wealthy is farther concentrated by their tendency to *combination*, from which, number, diſperſion, indigence and ignorance equally preclude the poor. The wealthy are formed into bodies by their profeſſions, their different degrees of opulence (called *ranks*,) their knowledge, and their ſmall number.—They neceſſarily in all countries adminiſter government, for they alone have ſkill and leiſure for its functions. Thus circumſtanced, nothing can be more evident than their inevitable prepondefance in the political ſcale. The preference of partial to general intereſts is however the greateſt of all public evils. It ſhould therefore have been the object of all laws to repreſs this malady, but it has been their perpetual tendency to aggravate it. Not content with the inevitable

able inequality of fortune, they have ſuperadded to it honorary and political diſtinctions. Not content with the inevitable tendency of the wealthy to combine, they have embodied them in claſſes. They have fortified thoſe conſpiracies againſt the general intereſt, which they ought to have reſiſted, though they could not diſarm. Laws, it is ſaid, cannot equalize men. No. But ought they for that reaſon to aggravate the inequality which they cannot cure? Laws cannot inſpire unmixed Patriotiſm—But ought they for that reaſon to foment that *corporation ſpirit* which is its moſt fatal enemy? All profeſſional combinations, ſaid Mr. Burke, in one of his late ſpeeches in Parliament, are dangerous in a free State. Arguing on the ſame principle, the National Aſſembly have proceeded further. They have conceived that the laws ought to *create* no inequality or combination, to recognize all only in their capacity of citizens, and

to offer no aſſiſtance to the natural preponderance of partial over general intereſt.

But beſides the general ſource of hoſtility to Orders, the particular circumſtances of France preſented other objections, which it is neceſſary to conſider more in detail.

It is in the firſt place to be remarked, that all the bodies and inſtitutions of the kingdom participated the ſpirit of the ancient Government, and in that view were incapable of alliance with a free Conſtitution. They were tainted by the deſpotiſm of which they were members or inſtruments. Abſolute monarchies like every other conſiſtent and permanent government, aſſimilate every thing to their own genius. The Nobility, the Prieſthood, the Judicial Ariſtocracy, were unfit to be members of a free government, becauſe their *corporate* character had been formed under arbitrary eſtabliſhments. To have preſerved theſe great corporations,

rations, would be to have retained the ſeeds of reviving deſpotiſm in the boſom of freedom. This remark may merit the attention of Mr. Burke, as illuſtrating an important difference between the French and Engliſh Revolutions. The Clergy, the Peerage, and Judicatures of England, had in ſome degree the ſentiments inſpired by a Government in which freedom had been eclipſed, but not extinguiſhed—They were therefore qualified to partake of a more ſtable and improved liberty. But the caſe of France was different. Theſe bodies had there imbibed every ſentiment, and adopted every habit under arbitrary power. Their preſervation in England, and their deſtruction in France, may in this view be juſtified on ſimilar grounds. It is abſurd to regard the Orders as remnants of that free conſtitution which France, in common with the other Gothic nations of Europe, once enjoyed. Nothing remained of theſe ancient Orders, but the name. The Nobility were no longer

thoſe haughty and powerful Barons, who enſlaved the people and dictated to the King. The eccleſiaſtics were no longer that Prieſthood, before whom, in a benighted and ſuperſtitious age, all civil power was impotent and mute. They have both dwindled into dependents on the crown. Still leſs do the opulent and enlightened Commons of France reſemble its ſervile and beggared populace in the ſixteenth century. Two hundred years of uninterrupted exerciſe had legitimated abſolute authority as much as preſcription can conſecrate uſurpation. The ancient French Conſtitution was therefore no farther a model than that of any *foreign* nation, which was to be judged of alone by its utility, and poſſeſſed in no reſpect the authority of eſtabliſhment. It had been ſucceeded by *another* Government, and if France were to recur to a period antecedent to her ſervitude, for legiſlative models, ſhe might as well aſcend to the æra of Clovis or Charlemagne, as be regulated by the precedents of Henry III.

or Anne of Auſtria. All theſe forms of government exiſted only *hiſtorically*.

Theſe obſervations include all the Orders. Let us conſider each of them ſucceſſively. The devotion of the Nobility of France to the Monarch was inſpired equally by their ſentiments, their intereſts, and their habits. "The feudal and chivalrous ſpirit of fealty," ſo long the prevailing paſſion of Europe, was ſtill nouriſhed in their boſoms by the military ſentiments from which it firſt aroſe. The majority of them had ſtill no profeſſion but war, no hope but in Royal favor. The youthful and indigent filled the camps; the more opulent and mature partook the ſplendor and bounty of the Court: But they were equally dependents on the Crown. To the plenitude of the Royal power were attached thoſe immenſe and magnificent privileges, which divided France into diſtinct nations; which exhibited a Nobility monopolizing the rewards

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and offices of the State, and a people degraded to political *helotiſm.** Men do not cordially reſign ſuch privileges, nor quickly diſmiſs the ſentiments which they have inſpired. The oſtentatious ſacrifice of pecuniary exemptions in a moment of general fermentation, is a wretched criterion of their genuine feelings. They affected to beſtow as a gift, what they would have been ſpeedily compelled to abandon as an uſurpation, and they hoped by the ſacrifice of a part, to purchaſe ſecurity for the reſt. They have been moſt juſtly ſtated to be a band of political janiſſaries, far more valuable to a Sultan than mercenaries, becauſe attached to him by unchangeable intereſt and indelible ſentiment. Whether any reform could have extracted from this body a portion which might have entered into the new conſtitution, is a queſtion which we ſhall conſider when that political ſyſtem comes under our review.

* I ſay *political* in contradiſtinction to *level*, for in the latter ſenſe the aſſertion would have been untrue.

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Their exiſtence, as a member of the Legiſlature, is a queſtion diſtinct from their preſervation as a ſeparate Order, or great corporation in the State. A ſenate of Nobles might have been eſtabliſhed, though the Order of the Nobility had been deſtroyed, and England would then have been exactly copied.—But it is of the Order that we now ſpeak, for we are now conſidering the deſtruction of the old, not the formation of the new Government.—The ſuppreſſion of Nobility has been in England moſt abſurdly confounded with the prohibition of titles. The union of the Orders in one Aſſembly was the firſt ſtep towards the deſtruction of a legiſlative Nobility. The abolition of their feudal rights, in the memorable ſeſſion of the 4th of Auguſt, 1789, may be regarded as the ſecond. They retained after theſe meaſures no diſtinction but what was purely nominal, and it remained to be determined what place they were to occupy in the new Conſtitution. That

queſtion was decided by the decree of the 22d of December, in the ſame year, which enacted, that the Electoral Aſſemblies were to be compoſed without any regard to rank, and that citizens of all Orders were to vote in them indiſcriminately. The diſtinction of Orders was deſtroyed by this decree, the Nobility were to form no part of the new Conſtitution, and they were ſtripped of all that they had enjoyed under the old Government, but their titles.

Hitherto all had paſſed unnoticed, but no ſooner did the Aſſembly, faithful to its principles, proceed to extirpate the external ſigns of ranks, which they no longer tolerated, than all Europe reſounded with clamours againſt their Utopian and levelling madneſs. The *incredible** decree of the 19th of June, 1790, for the ſuppreſſion of titles, is the object of all theſe invectives, yet without that meaſure the Aſſembly would certainly have been guil-

* So called by M. Calonne.

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ty of the groſſeſt inconſiſtency and abſurdity. An *untitled* Nobility forming a member of the State, had been exemplified in ſome Commonwealths of antiquity. Such were the Patricians in Rome. But a titled Nobility, without legal privileges, or political exiſtence, would have been a monſter new in the annals of legiſlative abſurdity. The power was poſſeſſed without the bauble by the Roman Ariſtocracy. The bauble would have been reverenced, while the power was trampled on, if titles had been ſpared in France. A titled Nobility, is the moſt undiſputed progeny of feudal barbariſm. Titles had in all nations *denoted offices*, in was reſerved for Gothic Europe to attach them to *ranks*, yet this conduct of our remote anceſtors admits explanation, for with them offices were hereditary, and hence the titles denoting them became hereditary too. But we, who have rejected hereditary office, retain an uſage to which it gave riſe, and which it alone could juſtify.

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So egregiouſly is this recent origin of titled Nobility miſconceived, that it has been even pretended to be neceſſary to the order and exiſtence of ſociety: A narrow and arrogant bigotry, which would limit all political remark to the Gothic States of Europe, or eſtabliſh general principles on events that occupy ſo ſhort a period of hiſtory and manners, that have been adopted by ſo ſlender a portion of the human race. A titled Nobility, was equally unknown to the ſplendid Monarchies of Aſia, and to the manly ſimplicity of the ancient Commonwealths.* It aroſe from the peculiar circumſtances of modern Europe,

*Ariſtocratic bodies did indeed exiſt in the ancient world, but *titles* were unknown. Though they poſſeſſed political privileges, yet as they did not affect the *manners*, they had not the ſame inevitable tendency to taint the public character as titular diſtinctions. Theſe bodies too being in general open to *property*, or *office*, they are in no reſpect to be compared to the Nobles of Europe. They might affect the *forms* of free Government as much, but they did in the ſame proportion injure the Spirit of Freedom.

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and yet its neceſſity is now erected on the baſis of univerſal experience, as if theſe other renowned and poliſhed States were effaced from the records of hiſtory, and baniſhed from the ſociety of nations. "Nobility is the Corinthian capital of poliſhed ſtates." The auguſt fabric of ſociety is deformed and encumbered by ſuch Gothic ornaments. The maſſy Doric that ſuſtains it is Labour, and the ſplendid variety of arts and talents that ſolace and embelliſh life, form the decorations of its Corinthian and Ionic capitals.

Other motives beſides the extirpation of feudality, diſpoſed the French Legiſlature to the ſuppreſſion of titles. To give ſtability to a popular Government, a democratic character muſt be formed, and democratic ſentiments inſpired. The ſentiment of equality which titular diſtinctions have, perhaps, more than any other cauſe, extinguiſhed in Europe, and without which democratic forms are impotent

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and ſhort lived, was to be revived; a free Government was to be eſtabliſhed, by carrying the ſpirit of equality and freedom into the feelings, the manners, the moſt familiar intercourſe of men. The badges of inequality, which were perpetually inſpiring ſentiments adverſe to the ſpirit of the Government, were therefore deſtroyed: Diſtinctions, which only ſerved to unfit the Nobility for obedience, and the people for freedom; to keep alive the diſcontent of the one, and to perpetuate the ſervility of the other; to deprive the one of the moderation that ſinks them into citizens, and to rob the other of the ſpirit that exalts them into free men. A ſignal example can alone diſpel inveterate prejudices. Thus thought our anceſtors at the Revolution, when they deviated from the ſucceſſion, to deſtroy the prejudice of its ſanctity. Thus alſo did the Legiſlators of France feel, when by the abolition of titles, they gave a mortal blow to the ſlaviſh prejudice which unfitted their country for

freedom

freedom. It was a practical aſſertion of that equality which had been conſecrated in the Declaration of Rights, but which no abſtract aſſertion could have conveyed into the ſpirits and the hearts of men. It proceeded on the principle that the ſecurity of a Revolution of *Government*, can only ariſe from a revolution of *character*.

To theſe reaſonings it has been oppoſed, that hereditary diſtinctions are the *moral treaſure* of a State, by which it excites and rewards public virtue and public ſervice, which, without national injury or burden, operates with reſiſtleſs force on generous minds. To this I anſwer, that of *perſonal* diſtinctions, this deſcription is moſt true, but that this moral treaſury of honour, is in fact impoveriſhed by the improvident profuſion that has made them hereditary. The poſſeſſion of honours by the multitude, who have inherited but not acquired them, engroſſes and depreciates theſe incen-

tives and rewards of virtue. Were they purely perſonal, their value would be doubly enhanced, as the poſſeſſors would be fewer while the diſtinction was more honourable. Perſonal diſtinctions then every wiſe State will cheriſh as its ſureſt and nobleſt reſource, but of hereditary title, *at leaſt in the circumſtances of France*, the abolition ſeems to have been juſt and politic.

The fate of the Church, the ſecond great corporation that ſuſtained the French deſpotiſm, has peculiarly provoked the indignation of Mr. Burke. The diſſolution of the Church as a body, the reſumption of its territorial revenues, and the new organization of the Prieſthood, appear to him to be dictated by the union of robbery and irreligion, to glut the rapacity of ſtock-jobbers, and to gratify the hoſtility of Atheiſts. All the outrages and proſcriptions of ancient or modern tyrants vaniſh, in his opinion, in the compariſon with this

this confiſcation of the *property* of the Gallican Church. Principles had, it is true, been on this ſubject explored, and reaſons had been urged by men of genius, which vulgar men deemed irreſiſtible. But with theſe reaſons Mr. Burke will not deign to combat. "You do not imagine, Sir," ſays he to his correſpondent "that I am going to compliment this *miſerable deſcription of perſons* with any long diſcuſſion?"* What immediately follows

* The Abbé Maury, who is not leſs remarkable for the fury of eloquent declamation, than for the *inept* parade of hiſtorical erudition, attempted in the debate on this ſubject to trace the opinion higher. Baſe lawyers, according to him, had inſinuated it to the Roman Emperors, and againſt it was pointed the maxim of the Civil Law. "*Omnia tenes Cæſar imperio ſed non dominio.*" Lewis XIV. and Louis XV. had been, if we may believe him, both been aſſailed by this Machiavelian doctrine, and both had repulſed it with magnanimous indignation. The learned Abbé committed only one miſtake. The deſpots of Rome and France had indeed been poiſoned with the idea that they were the immediate proprietors of their ſubjects' eſtates. That opinion is execrable and flagitious, and it is not, as we ſhall ſee, the doctrine of the French Legiſlature.

this contemptuous paſſage is ſo outrageouſly offenſive to candor and urbanity, that an honourable adverſary will diſdain to avail himſelf of it. The paſſage itſelf, however, demands a pauſe. It alludes to an opinion of which *I truſt* Mr. Burke did not know the origin. That the church-lands were national property was not firſt aſſerted among the *Jacobites*, or in the *Palais Royale*. The author of that opinion, the maſter of that wretched deſcription of perſons, whom Mr. Burke diſdains to encounter, was one whom he might have combated with glory, with confidence of triumph in victory, and without fear of ſhame in defeat. The author of that opinion was TURGOT! a name now too high to be exalted by eulogy, or depreſſed by invective.—That benevolent and philoſophic Stateſman delivered it in the article *Fondation* of the *Encyclopedie*, as the calm and diſintereſted opinion of a ſcholar, at a moment when he could have no view to palliate rapacity, or prompt

prompt irreligion. It was no doctrine contrived for the occaſion by the agents of tyranny; it was a principle diſcovered in pure and harmleſs ſpeculation, by one of the beſt and wiſeſt of men. I adduce the authority of Turgot, not to oppoſe the arguments (if there had been any) but to counteract the inſinuations of Mr. Burke. The authority of his aſſertions form a prejudice, which is thus to be removed before we can hope for a fair audience at the bar of reaſon. If he inſinuates the flagitiouſneſs of theſe opinions by the ſuppoſed vileneſs of their origin, it cannot be unfit to pave the way for their reception, by aſſigning them a more illuſtrious pedigree.

But diſmiſſing the genealogy of doctrines, let us examine their intrinſic value, and liſten to no voice but that of truth. "*Are the* "*lands occupied by the Church the* PROPERTY *of its Members?* Various conſiderations preſent

 themſelves,

themſelves, which may elucidate the ſubject. I. It has not hitherto been ſuppoſed that any claſs of Public ſervants are proprietors. They are *ſalaried* * by the State for the performance of certain duties. Judges are *paid* for the diſtribution of juſtice; *Kings* for execution of the laws; Soldiers, where there is a mercenary army, for public defence; and Prieſts, where there is an eſtabliſhed religion, for public inſtruction. The mode of their *payment* is indifferent to the queſtion. It is generally in rude ages by land and in cultivated periods by money. But a *territorial penſion* is no more property than a *pecuniary one.* The right of the State to regulate the ſalaries of thoſe ſervants whom it pays in money, has not been diſputed. But if it has *choſen to provide the revenue of a certain portion of land for the ſalary of another*

* " Ils ſont ou *ſalariés*, ou mendians, ou voleurs." *They are either ſalaried, or beggars, or robbers*—was the expreſſion of M. Mirabeau reſpecting the Prieſthood.

claſs

claſs of ſervants, wherefore is its right more diſputable, to reſume that land, and to eſtabliſh a new mode of payment? In the early hiſtory of Europe, before fiefs became hereditary, great landed eſtates were beſtowed by the Sovereign, on condition of military ſervice. By a ſimilar tenure did the Church hold its lands. No man can prove, that becauſe the State has entruſted its eccleſiaſtical ſervants with a portion of land, as the ſource and ſecurity of their *penſions*, they are in any reſpect more the *proprietors* of it, than the other ſervants of the State are of that portion of the Revenue from which they are paid.

II. The lands of the Church poſſeſs not the moſt ſimple and indiſpenſible requiſites of property. They are not even pretended to be held for the *benefit* of thoſe who enjoy them. This is the obvious criterion between private property and a penſion for public ſervice. The deſtination of the firſt is avowedly the com-

fort and happineſs of the *individual* who enjoys it; as he is conceived to be the ſole judge of this happineſs, he poſſeſſes the moſt unlimited rights of enjoyment, alienation, and even abuſe: But the lands of the Church, deſtined for the ſupport of public ſervants, exhibited none of the characters of property—They were inalienable, becauſe it would have been not leſs abſurd for the Prieſthood to have exerciſed ſuch authority over theſe lands, than it would for ſeamen to claim the property of a fleet which they manned, or ſoldiers that of a fortreſs they garriſoned.

III. It is confeſſed that no individual Prieſt was a proprietor, and it is not denied that his utmoſt claim was limited to a poſſeſſion for life of his ſtipend. If all the Prieſts, taken *individually*, were not proprietors, the Prieſthood, as a *body*, cannot claim any ſuch right. For what is a *body*, but an aggregate of individuals, and what new right can be conveyed by

by a mere change of name?—Nothing can ſo forcibly illuſtrate this argument as the caſe of other corporations. They are voluntary aſſociations of men for their own benefit. Every member of them is an abſolute ſharer in their property, it is therefore alienated and inherited. Corporate property is here as ſacred as individual, becauſe in the ultimate analyſis it is the ſame. But the Prieſthood is a corporation, endowed by the country, and deſtined for the benefit of other men. It is hence that the members have no *ſeparate*, nor the body any *collective*, right of property. They are only entruſted with the *adminiſtration* of the lands from which their *ſalaries* are paid.*

IV. It is from this laſt circumſtance that their *legal ſemblance* of property ariſes. In

* This admits a familiar illuſtration. If a land-holder chuſes to pay his ſteward for the collection of his rents, by permitting him to poſſeſs a farm *gratis*, is he conceived to have reſigned his *property* in the farm? The caſe is preciſely ſimilar.

charters, bonds, and all other proceedings of law, they are treated with the ſame formalities as real property.—"They are identified," ſays Mr. Burke, "with the maſs of private property;" and it muſt be confeſſed, that if we are to limit our view to forms, this language is correct. But the repugnance of theſe formalities to legal truth, proceeded from a very obvious cauſe. If eſtates are veſted in the Clergy, to them moſt unqueſtionably ought to be entruſted the protection of theſe eſtates in all conteſts at law, and actions for that purpoſe can only be maintained with facility, ſimplicity, and effect, by the *fiction* of their being proprietors.—Nor is this the only caſe in which the ſpirit and the forms of law are at variance reſpecting property. Scotland, where lands ſtill are held by *feudal* tenures, will afford us a remarkable example. There, if we extend our views no further than legal forms, the *ſuperior* is to be regarded as the proprietor, while the real pro-

prieto

prietor appears to be only a tenant for life. Such is the language of the charter by which he obtains a legal right to his eſtate. In this caſe, the vaſſal is *formally* ſtript of the property which he in fact enjoys. In the other, the Church is *formally* inveſted with a property, to which in reality it had no claim. The argument of *preſcription* will appear to be altogether untenable, *for preſcription implies a certain period during which the rights of property had been exerciſed*, but in the caſe before us they *never* were exerciſed, becauſe they never could be ſuppoſed to exiſt. It muſt be proved that theſe poſſeſſions were of the nature of property, before it can follow that they are protected by preſcription, and to plead it is to take for granted the queſtion in diſpute. If they never were property, no length of time can change their nature.*

* There are perſons who may not reliſh the mode of reaſoning here adopted. They contend that property, being the creature of civil ſociety, may be reſumed by that Public will

V. When the Britiſh Iſlands, the Dutch Republic, the German and Scandinavian

will which created it; and on this principle they juſtify the National Aſſembly of France. But ſuch a juſtification is adverſe to the principles of that Aſſembly; for they have conſecrated it as one of the firſt maxims of their Declaration of Rights, that the State cannot violate property, except in caſes of urgent neceſſity, and on condition of previous indemnification. This defence too will not juſtify their ſelection of Church property, in preference of all others, for reſumption. It certainly ought in this view to have fallen equally on all citizens. The principle is beſides falſe in the extreme to which it is aſſumed. *Property* is, indeed, *in ſome ſenſe*, created by an act of the Public will; but it is by one of thoſe *fundamental* acts which conſtitute ſociety.—Theory proves it to be eſſential to the ſocial ſtate. Experience proves that it has, in ſome degree, exiſted in every age and nation of the world. But thoſe public acts, which form and endow corporations, are ſubſequent and ſubordinate. They are only ordinary expedients of legiſlation. The property of individuals is eſtabliſhed on a *general principle*, which ſeems coeval with civil ſociety itſelf. But *bodies* are inſtruments fabricated by the Legiſlator for a *ſpecific* purpoſe, which ought to be preſerved while they are beneficial, amended when they are impaired, and rejected when they become uſeleſs or injurious.

States, reformed their eccleſiaſtical eſtabliſhments, the howl of ſacrilege was the only armour by which the Church attempted to protect its pretended property. The age was too tumultuous and unlettered for diſcuſſions of abſtract juriſprudence. The clamour of ſacrilege ſeems, however, to have fallen into early contempt. The Treaty of Weſtphalia ſecularized many of the moſt opulent benefices of Germany, under the mediation and guarantee of the firſt Catholic Powers of Europe. In our own Iſland, on the abolition of epiſcopacy in Scotland at the Revolution, the revenues of the Church peaceably devolved on the Sovereign, and he devoted a portion of them to the ſupport of the new eſtabliſhment. When, at a ſtill later period, the Jeſuits were ſuppreſſed in moſt Catholic Monarchies, the wealth of that formidable and opulent body was every where ſeized by the Sovereign. In all theſe memorable

rable examples, no traces are to be diſcovered of the pretended property of the Church.—The ſalaries of a claſs of Public ſervants are, in all theſe caſes, reſumed by the State, when it ceaſes to deem their ſervice, or the mode of it, uſeful. It is in none of them claimed as property. That claim, now ſo forcibly urged by M. Calonne, was probably little reſpected by him, when he lent his agency to the deſtruction of the Jeſuits with ſuch peculiar activity and rancor. The ſacredneſs of their property could not ſtrongly impreſs him, when he was inſtrumental in degrading the members of that accompliſhed Society, the glory of Catholic Europe, from their ſuperb endowments, to ſcanty and beggarly penſions. In all theſe conteſts, the inviolability of Church poſſeſſions was a principle that never made its appearance. A murmur of ſacrilege might, indeed, be heard among the fanatical or intereſted few. But the religious horror

in

in which the Prieſthood had enveloped its robberies, had long been diſpelled, and it was reſerved for Mr. Burke to renew that cry of ſacrilege, which, in the darkneſs of the ſixteenth century, had reſounded in vain. No man can be expected to oppoſe arguments to *epithets*. When a definition of *ſarcilege* is given, conſiſtent with good logic and plain Engliſh, it will be time enough to diſcuſs it. Till that definition *(with the Greek Calends)* comes, I ſhould as ſoon diſpute about the meaning of ſacrilege as about that of hereſy or witcheraft.

VI. The whole ſubject is indeed ſo evident, that little diverſity of opinion could have ariſen, if the queſtion of church property had not been confounded with that of the preſent incumbents. The diſtinction, though neither ſtated by Mr. Burke nor M. Calonne, is extremely ſimple. The State is the proprietor of the Church revenues, but its faith,

faith, it may be ſaid, is pledged to thoſe who have entered into the Church, for the continuance of thoſe incomes, for which they abandoned all other purſuits. The right of the State to arrange at its pleaſure the revenues of any future Prieſts may be confeſſed, while a doubt may be entertained, whether it is competent to change the fortune of thoſe to whom it has ſolemnly promiſed a certain income for life. But, theſe diſtinct ſubjects have been confounded, that ſympathy with ſuffering individuals might influence opinion on a general queſtion, that feeling for the degradation of the hierarchy might ſupply the place of argument to eſtabliſh the property of the Church. To conſider this ſubject diſtinctly it cannot be denied, that the mildeſt, the moſt equitable, and the moſt uſual expedient of poliſhed States in periods of emergency, *is the reduction of the ſalaries of their ſervants, and the ſuppreſſion of ſuperfluous places.* This and no more has been done regarding

garding the Church of France. Civil, naval, and military ſervants of the State are ſubject to ſuch retrenchments in a moment of difficulty. They often cannot be effected without a wound to individuals *; neither can the reform of a civil office, nor the reduction of a regiment: But all men who enter into the public ſervice muſt do ſo with the implied condition of ſubjecting their emoluments, and even their official exiſtence, to the exigencies of the State. The great grievance of ſuch derangements is the ſhock they give to family ſettlements. This is precluded by the compulſory celibacy of the Romiſh Church; and when the debts of the Clergy are incorporated with thoſe of the State, and their ſubſiſtence inſured by moderate incomes, though ſenſibility may, in the leaſt retrenchment, find ſomewhat to lament, juſtice will, in the whole of theſe arrangements, diſcover little

* This is preciſely the caſe of "*damnum abſque injuria.*"

to condemn. To the individual members of the Church of France, whoſe hopes and enjoyments have been abridged by this reſumption, no virtuous mind will refuſe the tribute of its ſympathy and its regrets. Every man of humanity muſt wiſh, that Public exigencies had permitted the French Legiſlature to ſpare the income of preſent incumbents, and more eſpecially of thoſe whom they ſtill continued in the diſcharge of active functions. But theſe ſentiments imply no ſorrow at the downfall of a great Corporation, the determined and implacable enemy of freedom; at the converſion of an immenſe Public property to national uſe, nor at the reduction of a ſervile and imperious Prieſthood to humble utility, as the moral and religious inſtructors of mankind. The attainment of theſe great objects conſole us for the portion of evil that was, perhaps, inſeparable from them, and will be juſtly admired by a poſterity too remote to be moved by theſe minute afflictions,

tions, or to be affected by any thing but their general ſplendor. The enlightened obſerver of an age thus diſtant will contemplate with peculiar aſtoniſhment, the riſe, progreſs, decay, and downfall * of ſpiritual power in Chriſtian Europe. It will attract his attention as an appearance, which ſtands *alone* in hiſtory. Its connexion in all ſtages of its progreſs with the civil power will peculiarly occupy his mind. He will remark the unpreſuming humility by which it gradually gained the favor, and divided the power of the magiſtrate; the haughty and deſpotic tone in which it afterwards gave law to Sovereigns and ſubjects; the zeal with which, in the firſt deſperate moments of decline, it armed the people againſt the Magiſtrate, and

* Did we not dread the ridicule of political prediction, it would not ſeem difficult to aſſign its period.—Church power (unleſs ſome Revolution, auſpicious to Prieſtcraft, ſhould replunge Europe in ignorance) will certainly not ſurvive the nineteenth century.

aimed at re-eſtabliſhing ſpiritual deſpotiſm on the ruins of civil order, and the aſylum which it at laſt found againſt the hoſtilities of reaſon, in the prerogatives of temporal deſpotiſm, of which it had ſo long been the implacable foe.

The firſt and laſt of theſe periods will prove, that the Prieſthood are ſervilely devoted when they are weak. The ſecond and third, that they are dangerouſly ambitious when ſtrong. In a ſtate of feebleneſs, they are dangerous to liberty; poſſeſſed of power, they are dangerous to Civil Government itſelf. But the laſt period of their progreſs will appear peculiarly connected with the ſtate of France. There was no protection for the opulence and exiſtence * of the European Prieſthood in an enlightened period, but the Throne. It formed the only bulwark

* I always underſtand their *corporate* exiſtence.

againſt

againſt the inroads of reaſon; for the ſuperſtition which once formed their power was gone. Around the Throne therefore they rallied. To the Monarch they transferred the devotion which had formerly attached them to the Church, and the fierceneſs of Prieſtly zeal was ſucceeded in their boſoms by the more peaceful ſentiments of a courtly and poliſhed ſervility. Such is, in a greater or leſs degree, the preſent condition of the Church in every nation of Europe; yet France has been reproached for the diſſolution of ſuch a body. It might as well be maintained, that, in her conqueſts over deſpotiſm, ſhe ought to have ſpared the ſtrongeſt fortreſſes and moſt faithful troops of her adverſary. Such, in truth, were the corporations of the Nobility and the Church. The National Aſſembly enſured permanence to their eſtabliſhments, by diſmantling the fortreſſes, and diſbanding the troops of their vanquiſhed foe.

In the few remarks that are here made on the Nobility and Clergy of France, we confine ourſelves ſtrictly to their *political* and *collective* character. Mr. Burke, on the contrary, has grounded his eloquent apology purely on their *individual* and *moral character*. This however is totally irrelative to the queſtion, for we are not diſcuſſing what place they ought to occupy in ſociety as individuals, but as a body. We are not conſidering the demerit of citizens whom it is fit to puniſh, but the ſpirit of a body which it is politic to diſſolve. We are not contending that the Nobility and Clergy were in their private capacity bad citizens, but that they were members of corporations which could not be preſerved with ſecurity to public freedom.

The Judicial Ariſtocracy formed by the Parliaments, ſeems ſtill leſs ſuſceptible of union with a free Government. Their ſpirit and claims were equally incompatible with liberty.

liberty. They had imbibed a ſpirit congenial to the authority under which they had acted, and ſuitable to the arbitrary genius of the laws which they had diſpenſed. They retained thoſe ambiguous and indefinite claims to a ſhare in the legiſlation, which the fluctuations of power in the kingdom had in ſome degree countenanced. The ſpirit of a *corporation* was from the ſmallneſs of their numbers more *concentrated* and vigorous in *them* than in the Nobles and Clergy, and whatever ariſtocratic zeal is laid to the charge of the Nobility, is imputable with tenfold force to the *ennobled Magiſtrates*, who regarded their recent honors with an enthuſiaſm of vanity, inſpired by that bigotted veneration for rank, which is the perpetual character of upſtarts. A free people could not form it's tribunals of men who pretended to any controul on the Legiſlature. Courts of Juſtice, in which ſeats were legally purchaſed, had too long been endured: Judges, who regarded the right of diſpenſing juſtice as

a marketable commodity, could neither be fit organs of equitable laws, nor ſuitable magiſtrates for a free State. It is vain to urge with Mr. Burke the paſt ſervices of theſe judicial bodies. It is not to be denied that Monteſquieu is correct, when he ſtates, that under bad Governments one abuſe often limits another. The uſurped authority of the Parliaments formed, it is true, ſome bulwark againſt the caprice of the Court. But when the abuſe is deſtroyed, why preſerve the *remedial evil?* Superſtition certainly alleviates the deſpotiſm of Turkey; but if a rational Government could be erected in that empire, it might with confidence diſclaim the aid of the Koran, and deſpiſe the remonſtrances of the Mufti. To ſuch eſtabliſhments, let us pay the tribute of gratitude for paſt benefit; but when their utility no longer exiſts, let them be canonized by death, that their admirers may be indulged in all the plenitude of poſthumous veneration.

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The three Ariſtocracies, Military, Sacerdotal, and Judicial, may be conſidered as having formed the French Government. They have appeared, ſo far as we have conſidered them, incorrigible. All attempts to improve them would have been little better than (to uſe the words of Mr. Burke) "mean reparations on mighty ruins." They were not perverted by the accidental depravity of their members. They were not infected by any tranſient paſſion, which new circumſtances would extirpate. The fault was in the eſſence of the inſtitutions themſelves, which were irreconcileable with a free Government. But it is objected, theſe inſtitutions might have been *gradually* reformed *. The ſpirit of Freedom would have ſilently entered. The progreſſive wiſdom of an enlightened nation would have remedied, in proceſs of time, their defects, without convulſion.

* See Mr. Burke's Reflexions, p. 248—52.

To this argument I confidently anſwer, *that theſe inſtitutions would have deſtroyed* LIBERTY, *before Liberty had corrected their* SPIRIT. Power vegetates with more vigor after theſe gentle prunings. A ſlender reform amuſes and lulls the people; the popular enthuſiaſm ſubſides, and the moment of effectual reform is irretrievably loſt. No important political improvement was ever obtained in a period of tranquility. The corrupt intereſt of the Governors is ſo ſtrong, and the cry of the people ſo feeble, that it were vain to expect it. If the effervescence of the popular mind is ſuffered to paſs away without effect, it would be abſurd to expect from languor what enthuſiaſm has not obtained. If radical reform is not, at ſuch a moment, procured, all partial changes are evaded and defeated in the tranquility which ſucceeds.* The

* "Ignore t'on que c'eſt en attaquant, en reverſant tous les abus a la fois, qu'on peut eſperer de s'en voir delivré ſans retour—

gradual reform that ariſes from the preſiding principle exhibited in the ſpecious theory of Mr. Burke, is belied by the experience of all ages. Whatever excellence, whatever freedom is diſcoverable in Governments, has been infuſed into them by the ſhock of a revolution, and their ſubſequent progreſs has been only the accumulation of abuſe. It is hence that the moſt enlightened politicians have recognized the neceſſity of *frequently recalling Governments to their firſt principles*; a truth equally ſuggeſted to the penetrating intellect of Machiavel, by his experience of the Florentine democracy, and by his reſearch into the hiſtory of ancient Commonwealths.—Whatever is good ought to be purſued at the moment it is attainable. The public voice,

retour—que les reformes lentes et partielles ont toujours fini par ne rien reformer; enfin que l'abus que l'on conſerve devient l'appui et bientot le reſtaurateur de tous ceux qu'on croioit avoir detruits."—*Adreſſe aux Francois par l'Eveque d'Autun.*

irreſiſtible

irreſiſtible in a period of convulſion, is contemned with impunity; when dictated by that lethargy into which nations are lulled by the tranquil courſe of their ordinary affairs. The ardor of reform languiſhes in unſupported tedioufneſs. It periſhes in an impotent ſtruggle with adverſaries, who receive new ſtrength from the progreſs of the day. No hope of great political improvement (let us repeat it) is to be entertained from tranquility,* for its natural operation is to ſtrengthen all thoſe, who are intereſted in perpetuating abuſe. The National Aſſembly ſeized the moment of eradicating the corruptions and abuſes, which afflicted their country. Their reform was total, that it might be commenſurate with

* The only apparent exception to this principle is the caſe where Sovereigns make important conceſſions to appeaſe diſcontent, and avert convulſion. This, however, rightly underſtood, is no exception, for it ariſes evidently from the ſame cauſes, acting at a period leſs advanced in the progreſs of popular interpoſition.

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the evil, and *no part of it was delayed*, becauſe to ſpare an abuſe at ſuch a period was to conſecrate it; becauſe the enthuſiaſm which carries nations to ſuch enterprizes is ſhort-lived, and the opportunity of reform, if once neglected, might be irrevocably fled.

But let us aſcend to more general principles, and hazard bolder opinions. Let us grant that the ſtate of France was not ſo deſperately incorrigible. Let us ſuppoſe that changes far more gentle, innovations far leſs extenſive, would have remedied the groſſer evils of her Government, and placed it almoſt on a level with free and celebrated Conſtitutions. Theſe conceſſions, though too large for truth, will not convict the Aſſembly. By what principle of reaſon, or of juſtice, were they precluded from aſpiring to give France a Government leſs imperfect, than *accident* had formed in other States?——Who will be hardy enough to aſſert, that a better Conſti-

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tution is not attainable than any which has hitherto appeared? Is the limit of human wiſdom to be eſtimated in the ſcience of politics alone, by the extent of its preſent attainments? Is the moſt ſublime and difficult of all arts, the improvement of the ſocial order, the alleviation of the miſeries of the civil condition of man, to be alone ſtationary, amid the rapid progreſs of every other art, liberal and vulgar, to perfection? Where would be the atrocious guilt of a grand experiment, to aſcertain the portion of freedom and happineſs, that can be created by political inſtitutions?

That guilt (if it be guilt) is imputable to the National Aſſembly of France. They are accuſed of having rejected the guidance of experience, of having abandoned themſelves to the illuſions of theory, and of having ſacrificed great and attainable good to the magnificent chimeras of ideal excellence. If this accuſation be juſt, if they have indeed aban-

doned *experience*, the baſis of human knowledge, as well as the guide of human conduct; their conduct deſerves no longer any ſerious argument; and if (as Mr Burke more than once inſinuates) their contempt of it is avowed and oſtentatious, it was ſurely unworthy of him to have expended ſo much genius againſt ſo prepoſterous an inſanity. But the explanation of *terms* will diminiſh our wonder—Experience may, both in the arts and in the conduct of human life, be regarded in a double view, either as furniſhing *models*, or *principles*. An artiſt who frames his machine in exact imitation of his predeceſſor, is in the *firſt ſenſe* ſaid to be guided by experience. In this ſenſe all improvements of human life, have been *deviations* from experience. The firſt viſionary innovator was the ſavage who built a cabin, or covered himſelf with a rug. If this be experience, man is degraded to the unimprovable level of the inſtinctive animal—But in the ſecond acceptation, an artiſt is

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ſaid to be guided by experience, when the inſpection of a machine diſcovers to him principles, which teach him to improve it, or when the compariſon of many, both with reſpect to their excellencies and defects, enables him to frame another more perfect machine, different from any he had examined. In this latter ſenſe, the National Aſſembly have perpetually availed themſelves of experience. Hiſtory is an immenſe collection of experiments on the nature and effect of the various parts of various Governments. Some inſtitutions are *experimentally* aſcertained to be beneficial; ſome to be moſt indubitably deſtructive. A third claſs, which produces partial good, obviouſly poſſeſs the capacity of improvement. What, on ſuch a ſurvey, was the dictate of enlightened experience?—Not ſurely to follow the model of any of thoſe Governments, in which theſe inſtitutions lay indiſcriminately mingled; but, like the mechanic, to compare and generalize;

neralize; and, guided equally by experience, to imitate and reject. The proceſs is in both caſes the ſame. The rights and the nature of man are to the Legiſlator what the general properties of matter are to the Mechanic, the firſt guide, becauſe they are founded on the wideſt experience. In the ſecond claſs are to be ranked obſervations on the excellencies and defects of thoſe Governments which have exiſted, that teach the conſtruction of a more perfect machine. BUT EXPERIENCE IS THE BASIS OF ALL. Not the puny and trammelled experience of a *Stateſman by trade*, who trembles at any change in the *tricks* which he has been taught, or the *routine* in which he has been accuſtomed to move, but an experience liberal and enlightened, which hears the teſtimony of ages and nations, and collects from it the general principles which regulate the mechaniſm of ſociety.

Legiſlators are under no obligation to retain a conſtitution, becauſe it has been found "*tolerably* to anſwer the common purpoſes of Government." It is abſurd to *expect*, but it is not abſurd to *purſue* perfection. It is abſurd to acquieſce in evils, of which the remedy is obvious, becauſe they are leſs grievous than thoſe which are endured by others. To ſuppoſe the ſocial order is not capable of improvement from the progreſs of the human underſtanding, is to betray the inconſiſtent abſurdity of an arrogant confidence in our attainments, and an abject diſtruſt of our powers. If indeed the ſum of evil produced by political inſtitutions, even in the leaſt imperfect Governments, were ſmall, there might be ſome pretence for this dread of innovation, this horror at remedy, which has raiſed ſuch a clamor over Europe: But, on the contrary, in an eſtimate of the ſources of human miſery, after granting that one portion is to be attributed to diſeaſe, and another

other to private vices, it might perhaps be found that a *third equal* part aroſe from the oppreſſions and corruptions of Government, diſguiſed under various forms. All the Governments that now exiſt in the world, (except the United States of America) have been fortuitouſly formed. They are the produce of chance, not the work of art. They have been altered, impaired, improved and deſtroyed by accidental circumſtances, beyond the foreſight or controul of wiſdom. Their parts thrown up againſt preſent emergencies formed no ſyſtematic whole. It was certainly not to have been preſumed, that theſe *fortuitous Governments* ſhould have ſurpaſſed the works of intellect, and precluded all nearer approaches to perfection. Their origin without doubt furniſhes a ſtrong preſumption of an oppoſite nature. It might teach us to expect in them many diſcordant principles, many jarring forms, much unmixed evil, and much imperfect good, many inſtitutions which had

long ſurvived their motive, and many of which reaſon had never been the author, nor utility the object. Experience, *even in the beſt of theſe Governments*, accords with ſuch expectations.

A Government of *art*, the work of legiſlative intellect, reared on the immutable baſis of natural right and general happineſs, which ſhould combine the excellencies, and exclude the defects of the various conſtitutions which chance had ſcattered over the world, inſtead of being precluded by the perfection of any of thoſe forms, was loudly demanded by the injuſtice and abſurdity of them all. It was time that men ſhould learn to tolerate nothing ancient that reaſon does not reſpect, and to ſhrink from no novelty to which reaſon may conduct. It was time that the human powers, ſo long occupied by ſubordinate objects, and inferior arts, ſhould mark the commencement of a new æra in hiſtory, by giving birth

to the art of improving government, and increaſing the civil happineſs of man. It was time, as it has been wiſely and eloquently ſaid, that Legiſlators, inſtead of that narrow and daſtardly *coaſting* which never ventures to loſe ſight of uſage and precedent, ſhould, guided by the *polarity* of reaſon, hazard a bolder navigation, and diſcover, in unexplored regions, the treaſure of public felicity.

The taſk of the French Legiſlators was, however, leſs hazardous. The philoſophers of Europe had for a century diſcuſſed all objects of public œconomy. The conviction of a great majority of enlightened men had, after many controverſies, become on moſt queſtions of general politics, uniform. A degree of certainty, perhaps nearly equal to that which ſuch topics will admit, had been attained. The National Aſſembly were therefore not called on to make diſcoveries. It

was ſufficient if they were not uninfluenced by the opinions, nor exempt from the ſpirit of their age. They were fortunate enough to live in a period when it was only neceſſary to affix the ſtamp of laws to what had been prepared by the reſearch of philoſophy. They will here, however, be attacked by a futile common-place. The moſt ſpecious *theory*, it will be ſaid, is often impracticable, and any attempt to tranſfer ſpeculative doctrines into the practice of States is chimerical and frantic. If by theory be underſtood vague conjecture, the objection is not worth diſcuſſion; but if by theory be meant inference from the moral nature and political ſtate of man, then I aſſert, that whatever ſuch theory pronounces to be true, muſt be practicable, and that whatever on the ſubject is impracticable, muſt be falſe. To reſume the illuſtration from the mechanical arts—Geometry, it may be juſtly ſaid, bears nearly the ſame relation

to

to mechanics that abſtract reaſoning does to politics.* The *moral forces* which are employed in politics are the paſſions and intereſts of men, of which it is the province of metaphyſics to teach the nature and calculate the ſtrength, as mathematics do thoſe of the mechanical powers. Now ſuppoſe it had been mathematically proved, that by a certain alteration in the ſtructure of a machine, its effect would be increaſed *four-fold*, would an inſtructed mechanic heſitate about the change? Would he be deterred, becauſe he was the *firſt* to diſcover it? Would he thus ſacrifice his own advantage to the blindneſs of his predeceſſors, and the obſtinacy of his cotemporaries?—Let us ſuppoſe a whole nation, of which the artizans thus rejected theoretical

* I confeſs my obligation for this parallel to a learned friend, who though juſtly admired in the republic of letters for his excellent writings, is ſtill more ſo by his friends for the rich, original and maſculine turn of thought that animates his converſation.

improvement—Mechanics might there, as a *ſcience*, be moſt profoundly underſtood, while as an *art*, it exhibited nothing but rudeneſs and barbariſm. The principles of Newton and Archimedes might be taught in the ſchools, while the architecture of the people might not have reached beyond the cabins of New Holland, or the ſhip-building of the Eſquimaux. In a ſtate ſomewhat ſimilar regarding political ſcience has Europe continued for a great part of the eighteenth century.*

* Mechanics, becauſe no paſſion or intereſt is concerned in the perpetuity of abuſe, always yield to ſcientific improvement. Politics, for the contrary reaſon, always reſiſt it. It was the remark of Hobbes, that if any intereſt or paſſion were concerned in diſputing the theorems of geometry, different opinions would be maintained regarding them. It has actually happened (to juſtify the remark of that great man) that under the adminiſtration of TURGOT *a financial reform, grounded on a mathematical demonſtration, was derided as viſionary nonſenſe!* So much for the ſage preference of practice to theory.

All the great queſtions of general politics had, as we have remarked, been nearly decided, and almoſt all the deciſion had been hoſtile to eſtabliſhed inſtitutions——yet theſe inſtitutions ſtill flouriſhed in all their vigor. The ſame man who cultivated liberal ſcience in his cabinet, was compelled to adminiſter a barbarous juriſprudence on the bench. The ſame MONTESQUIEU, who thought as a philoſopher of the eighteenth, was compelled to decide as a magiſtrate of the fourteenth century. The apoſtles of toleration, and the miniſters of the Inquiſition, were cotemporaries. The torture continued to be practiſed in the age of Beccaria. The Baſtile devoured its victims in the country of Turgot. The criminal code, even of thoſe nations in which it was the mildeſt, was oppreſſive and ſavage. The laws reſpecting religious opinion, even where there was a *pretended* toleration, outraged the moſt evident deductions of reaſon. The true principles of commercial policy, though they

had been reduced to demonſtration, influenced the councils of no State. Such was the fantaſtic ſpectacle preſented by the European nations, who, philoſophers in theory, and barbarous in practice, exhibited to the obſerving eye two oppoſite and inconſiſtent aſpects of manners and opinions. But ſuch a State carried in itſelf the ſeeds of its own deſtruction. Men will not long dwell in hovels, with the model of a palace before their eyes.

A State approaching to it in ſome meaſure, exiſted indeed in the ancient world. But the art of Printing had not then provided a channel by which the opinions of the learned paſs inſenſibly into the popular mind. A bulwark then exiſted between the body of mankind, and the reflecting few. They were diſtinct nations, inhabiting the ſame country, and the opinions of the one (I ſpeak *comparatively* with modern times) had little influence on the other.—But that bulwark is now levelled with

with the ground.—The convictions of philoſophy inſinuate themſelves by a ſlow, but certain progreſs, into popular ſentiment. It is vain for the arrogance of learning to condemn the people to ignorance by reprobating ſuperficial knowledge—The people cannot be profound, but the truths which regulate the moral and political relations of man, are at no great diſtance from the ſurface. The great works in which diſcoveries are contained cannot be read by the people; but their ſubſtance paſſes through a variety of minute and circuitous channels, to the ſhop and the hamlet. The converſion of theſe works of unproductive ſplendor into latent uſe and unobſerved activity, reſembles the proceſs of nature in the external world. The expanſe of a noble lake, the courſe of a majeſtic river, impoſes on the imagination by every impreſſion of dignity and ſublimity. But it is the moiſture that inſenſibly ariſes from them which gradually mingling with the ſoil, nouriſhes all the luxuriancy

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of vegetation, fructifies and adorns the ſurface of the earth.

It may then be remarked, that though liberal opinions ſo long exiſted with abuſive eſtabliſhments, it was not natural this ſtate of things ſhould be permanent. The philoſophers of antiquity did not, like ARCHIMEDES, want a ſpot on which to fix their engines, but they wanted an engine to move the moral world. The preſs is that engine, which has ſubjected the powerful to the wiſe, by governing the opinion of mankind. The diſcuſſion of great truths has prepared a body of laws for the National Aſſembly. The diffuſion of political knowledge has *almoſt* prepared a people to receive them, and good men are at length permitted to indulge the *hope*, that the miſeries of the human race are about to be alleviated. That hope may be illuſive, for the grounds of its enemies are ſtrong, the folly and villainy of men. Yet they who entertain it will feel

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no ſhame in defeat, and no envy of the triumphant prediction of their adverſaries. *Mehercule malim cum Platone errare.* Whatever be the ultimate fate of the French Revolutioniſts, the friends of freedom muſt ever conſider them as the authors of the greateſt *attempt* that has hitherto been made in the cauſe of man. They never can ceaſe to rejoice, that amid the long catalogue of calamities and crimes which blacken human annals, the year 1789 has furniſhed one ſpot on which the eye of humanity may with complacence dwell.

SECTION

SECTION II.

Of the Compoſition and Character of the NATIONAL ASSEMBLY.

EVENTS are rarely ſeparated by the Hiſtorian from the character of thoſe who are conſpicuous in conducting them. From it alone they often receive the tinge which determines their moral colour.—— What is admired as noble pride in SULLY, would be execrated as intolerable arrogance in RICHLIEU. But the degree of this influence varies with the importance of the events.—In the ordinary affairs of State it is great, becauſe in fact they are only of importance to poſterity, as they illuſtrate the characters of thoſe who have acted diſtinguiſhed parts on the theatre

theatre of the world. But in events, which themſelves are of immenſe magnitude, the character of thoſe who conduct them becomes of far leſs relative importance. No ignominy is at the preſent day reflected on the Revolution of 1688 from the ingratitude of CHURCHILL, or the treachery of Sunderland. The purity of Somers, and the profligacy of Sunderland, are equally loſt in the ſplendor of that great tranſaction; in the ſenſe of its benefits, and the admiration of its juſtice. No moral impreſſion remains on our mind, but that whatever voice ſpeaks truth, whatever hand eſtabliſhes freedom delivers the oracles and diſpenſes the gifts of God.

If this be true of the depoſition of James II. it is far more ſo of the French Revolution. Among many circumſtances which diſtinguiſhed that event, as unexampled in hiſtory, it was none of the leaſt extraordinary, that it might truly be ſaid to have been a

REVOLUTION *without Leaders.* It was the effect of general cauſes operating on the people. It was the revolt of a nation enlightened from a common ſource. Hence it has derived its peculiar character, and hence the merits of the moſt conſpicuous individuals have had little influence on its progreſs. The character of the National Aſſembly is of ſecondary importance indeed. But as Mr. Burke has expended ſo much invective againſt that body, a few ſtrictures on his repreſentation of it will not be improper.

The repreſentation of the third eſtate was, as he juſtly ſtates, compoſed of Lawyers, Phyſicians, Merchants, Men of Letters, Tradeſmen and Farmers. The choice was indeed limitted by neceſſity, for except men of theſe ranks and profeſſions, the *people* had no objects of election, the Army and the Church being engroſſed by the Nobility.—— "No veſtige of the candid intereſt of the country appeared in

in this repreſentation."——For an obvious reaſon——Becauſe the *Nobility* of France, like the Gentry of England, formed almoſt excluſively the landed intereſt of the kingdom. Theſe profeſſions then could only furniſh Repreſentatives for the *Tiers Etat.*—They form the majority of that middle rank among whom almoſt all the ſenſe and virtue of ſociety reſide. Their pretended incapacity for political affairs is an arrogant fiction of Stateſmen which the hiſtory of Revolutions has ever belied. Theſe emergencies have never failed to create politicians. The ſubtle Counſellors of Philip II. were baffled by the Burgomaſters of Amſterdam and Leyden.—The oppreſſion of England ſummoned into exiſtence a race of Stateſmen in her Colonies. The lawyers of Boſton, and the planters of Virginia, were transformed into miniſters and negociators, who proved themſelves inferior neither in wiſdom as legiſlators, nor in dexterity as politicians. Theſe facts evince

that the powers of mankind have been unjuſtly depreciated, the difficulty of Political affairs artfully magnified, and that there exiſts a quantity of talent *latent* among men, which riſes to the level of the great occaſion that calls it forth.

But the predominance of the profeſſion of the law, that profeſſion which teaches men to augur miſgovernment at a diſtance, and ſnuff the approach of tyranny in every tainted breeze,* was the fatal ſource from which, if we may believe Mr. Burke, have ariſen the calamities of France. The majority of the Third Eſtate was indeed compoſed of lawyers.—— Their talents of public ſpeaking, and their profeſſional habits of examining queſtions analogous to thoſe of politics, rendered them the moſt probable objects of popular choice, eſpecially in a *deſpotic* country, where political ſpeculation was no natural amuſement for the

* Mr. Burke's Speech on American Affairs, 1775.

leiſure

leiſure of opulence. But it does not appear that the majority of them conſiſted of the unlearned, mechanical members of the profeſſion.* From the liſt of the States-General, it ſhould ſeem that the majority were *provincial advocates*, a name of very different import from *country attorneys*, and whoſe importance is not to be eſtimated by purely *Engliſh* ideas.

All *forenſic* talent and eminence is *here* concentered in the capital. But in France, the inſtitution of circuits did not exiſt. The provinces were imperfectly united, their laws various, their judicatures diſtinct, and almoſt independent. Twelve or thirteen Parliaments formed as many circles of advocates, who nearly emulated in learning and eloquence the Pariſian bar.——This diſperſion of talent was in ſome reſpect alſo the neceſſary effect of the immenſity of the kingdom. No liberal man

* See an accurate liſt of them in the ſupplement to the *Journal de Paris*, 31ſt of May, 1789.

will in England beſtow on the Iriſh and Scottiſh bar the epithet *provincial*, with a view of degradation. The Parliaments of many Provinces in France, preſented as wide a field for talent as the Supreme Courts of Ireland and Scotland. The Parliament of Rennes, for example, diſpenſed juſtice to a Province which contained two million three hundred thouſand inhabitants * a population equal to that of ſome reſpectable kingdoms of Europe. The Cities of Bourdeaux, Lyons, and Marſeilles, ſurpaſs in wealth and population Copenhagen, Stockholm, Peterſburgh, and Berlin.—Such were the theatres on which the Provincial Advocates of France purſued profeſſional fame. A general Convention of the Britiſh empire would yield perhaps as diſtinguiſhed a place to CURRAN and ERSKINE, and the other eminent and accompliſhed barriſters of

* See a report on the Population of France, to the National Aſſembly, by M. Brion de la Tour, Engineer and Geographer to the King, 1790.

Dublin

Dublin and Edinburgh, as to thoſe of the capital. And on the ſame principles have the *Thourets* and *Chapeliers* of *Rouen*, and *Rennes*, acquired as great an aſcendant in the National Aſſembly as the *Targets* and *Camus's* of the Pariſian bar.

The proof that this "*faculty*" influence, as Mr. Burke chuſes to phraſe it, was not injuriouſly predominant, is to be found in the decrees of the Aſſembly reſpecting the judicial Order. It muſt have been their object to have eſtabliſhed what he calls "a litigious Conſtitution." The contrary has ſo notoriouſly been the caſe, all their decrees have ſo obviouſly tended to leſſen the importance of lawyers, by facilitating arbitrations, by the adoption of juries, by diminiſhing the expence and tedioufneſs of ſuits, by the deſtruction of an intricate and barbarous juriſprudence, and by the ſimplicity introduced into all judicial proceedings, that their ſyſtem has been ac-

cuſed of a direct tendency to extinguiſh the profeſſion of the law. A ſyſtem which may be condemned as leading to viſionary exceſs, but which cannot be pretended to bear very ſtrong marks of the ſuppoſed aſcendant of "*chicane.*"

To the lawyers, beſides the Parochial Clergy, whom Mr. Burke contemptuouſly ſtiles "*Country Curates,*" were added, thoſe Noblemen whom he ſo ſeverely ſtigmatizes as deſerters from their Order. Yet the deputation of the Nobility who firſt joined the Commons, and to whom therefore that title beſt belongs, was not compoſed of men whom deſperate fortunes and profligate ambition prepare for civil confuſion. In that number were found the heads of the moſt ancient and opulent families in France; the Rochefoucaults, the Richlieus, the Montmorencies, the Noialles. Among them was M. Lally, who has received ſuch liberal praiſe from Mr. Burke,

Burke, and it will be difficult to diſcover in one individual of that body any intereſt adverſe to the preſervation of order, the ſecurity of rank and wealth.

Having thus followed Mr. Burke in a very ſhort ſketch of the claſſes of men who compoſe the Aſſembly, let us proceed to conſider his repreſentation of the ſpirit and general views which have guided it, and which according to him have preſided in all the events of the Revolution. "A cabal of Philoſophic "Atheiſts had conſpired the abolition of "Chriſtianity. A monied intereſt, who had "grown into opulence from the calamities of "France, contemned by the Nobility for "their origin, and obnoxious to the people by "their exactions, ſought the alliance of theſe "philoſophers, by whoſe influence on public "opinion they were to avenge themſelves on "the Nobility, and conciliate the people. The "Atheiſts were to be gratified with the extir-

" pation of religion, and the Stock-jobbers " with the ſpoils of the Nobles and the " Church. The prominent features of the " Revolution bear evidence of this league, of " of this impiety and rapine. The degraded " eſtabliſhment of the Church is preparatory " to the abolition of Chriſtianity, and all the " financial operations are deſigned to fill the " coffers of the monied *capitaliſts* of Paris." Such is the theory of Mr. Burke reſpecting the ſpirit and character of the French Revotution. To ſeparate the portion of truth that gives plauſibility to his ſtatement, from the falſhood that inveſts it with all its horrors, will however neither be a tedious nor a difficult taſk.

The commercial, or monied intereſt, has in all nations of Europe (taken as a body) been leſs prejudiced, more liberal, and more intelligent, than the landed gentry. Their views are enlarged by a wide intercourſe with mankind,

mankind, and hence the important influence of commerce in liberalizing the modern world. We cannot wonder then that this enlightened claſs of men ever prove the moſt ardent in the cauſe of freedom, the moſt zealous for political reform. It is not wonderful that philoſophy ſhould find in them more docile pupils, and liberty more active friends, than in a haughty and prejudiced ariſtocracy. The Revolution in 1688 produced the ſame diviſion in England. The monied intereſt long formed the ſtrength of *Whiggiſm*, while a majority of the landed gentlemen continued zealous *Tories*. It is not unworthy of remark, that the pamphleteers of Toryiſm accuſed the Whigs of the ſame hoſtility to religion, of which Mr. Burke now ſuppoſes the exiſtence in France. They predicted the deſtruction of the Church, and even the downfall of Chriſtianity itſelf, from the influx of Heretics, Infidels and Atheiſts, which the new Government of England protected. Their pamphlets

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have periſhed with the topic which gave them birth, but the talents and fame of SWIFT have preſerved his, which furniſh abundant proof of this coincidence in clamour between the enemies of the Engliſh, and the detractors of the French Revolution.

That of the philoſophers, the other party in this unwonted alliance between affluence and literature, in this new union of authors and bankers, did prepare the Revolution by their writings, it is the glory of its admirers to avow.*

* Mr. Burke's remark on the Engliſh Free-thinkers is unworthy of him. It more reſembles the rant by which Prieſts inflame the languid bigotry of their fanatical adherents, than the calm, ingenuous and manly criticiſm of a philoſopher and a ſcholar. Had he made extenſive enquiries among his learned friends, he muſt have found many who read and admired COLLINS's incomparable tract on Liberty and Neceſſity. Had he looked abroad into the world, he would have found many who ſtill read the philoſophical

What the ſpeculative opinions of theſe philoſophers were on remote and myſterious queſtions, is here of no importance. It is not as Atheiſts, or Theiſts, but as political reaſoners, that they are to be conſidered in a political Revolution. All their writing, on the ſubjects of metaphyſics and theology are foreign to the queſtion. If Rouſſeau has had any influence in promoting the Revolution, it is not by his *Letters from the Mountains*, but by his *Social Contract*. If Voltaire contributed to ſpread liberality in France, it was not by his *Philoſophical Dictionary*, but by his Defences of Toleration. The obloquy of their Atheiſm (if it exiſted) is perſonal—it does not belong to the Revolution,

ſophical works of Bolingbroke, not as philoſophy, but as eloquent and ſplendid declamation. What he means by "their ſucceſſors" I *will* not conjecture. I *will* not ſuppoſe that, with DR. HURD, he regards DAVID HUME as "a *puny* dialectician from the north!!"—yet it is hard to underſtand him in any other ſenſe.

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for that event could neither have been promoted or retarded by abſtract diſcuſſions of theology. The ſuppoſition of their conſpiracy for the abolition of Chriſtianity, is one of the moſt extravagant chimeras that ever entered the human imagination. Let us grant their infidelity in the fulleſt extent. Their philoſophy muſt have taught them that the paſſions, whether rational or irrational, from which religion ariſes, could be eradicated by no human power from the heart of man.—Their incredulity muſt have made them indifferent what particular mode of religion might prevail. Theſe Philoſophers were not the Apoſtles of any new Revelation that was to ſupplant the faith of Chriſt. They knew that the heart can on this ſubject bear no void, and they had no intereſt in ſubſtituting the Vedam, or the Koran, for the Goſpel. They could have no reaſonable motives to promote any revolution in the popular faith. Their purpoſe was accompliſhed when the Prieſthood

hood was diſarmed. Whatever might be the freedom of their private ſpeculations, it was not againſt religion, but againſt the church, that their *political* hoſtility was directed.

But, ſays Mr. Burke, the degraded penſionary eſtabliſhment, and the elective conſtitution of the new Clergy of France is ſufficient evidence of the deſign. The Clergy are to be made contemptible, that the popular reverence for religion may be deſtroyed, and the way thus paved for its abolition. It is amuſing to examine the different aſpects which the ſame object preſents to various minds.—Mr. Hume vindicates the policy of an opulent eſtabliſhment, as a bribe which purchaſes the uſeful inactivity of the Prieſthood. They have no longer, he ſuppoſes, any temptation to court a dangerous dominion over the minds of the people, becauſe they are independent of it. Had that philoſopher been now alive, he muſt on the ſame principle have remarked, that

an elective Clergy and a ſcantily endowed Church, had a far greater tendency to produce fanaticiſm than irreligion. If the prieſts depend on the people, they can only maintain their influence by cultivating thoſe paſſions in the popular mind, which give them an aſcendant over it. Their only influence is through the religious paſſions. To inflame them is their obvious ambition. Prieſts would be in a nation of ſceptics contemptible, in a nation of fanatics omnipotent. It has not therefore been more uniformly the habit of a Clergy that depends on a court, to practiſe ſervility, than it would evidently be the intereſt of a Clergy that depends on the people, to cultivate religious enthuſiaſm. Scanty endowments too, would ſtill more diſpoſe them to ſeek a conſolation for the abſence of worldly enjoyments, in the exerciſe of a flattering authority over the minds of men.—Such would have been the view of a philoſopher who was *indifferent* to Chriſtianity, on the

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new Conſtitution of the Gallican Church. He never would dream of rendering religion unpopular by devoting her miniſters to activity, contemptible by compelling them to purity, or unamiable by diveſting her of invidious ſplendor. He would have ſeen in theſe changes the ſeeds of enthuſiaſm and not of laxity. But he would be conſoled by the reflection, that the diſſolution of the Church as a corporation had broken the ſtrength of the prieſthood, that religious liberty without limit would diſarm the animoſity of ſects, and the diffuſion of knowledge reſtrain the extravagances of fanaticiſm.

I am here only conſidering the eſtabliſhment of the Gallican Church as an evidence of the ſuppoſed plan for aboliſhing Chriſtianity. I am not diſcuſſing its intrinſic merits.——I therefore perſonate a Philoſophic Infidel, and it appears that he muſt have diſcerned the tendency of this plan to be directly

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the reverſe of that conceived by Mr. Burke. * There is a fact which though little known amounts almoſt to a proof of the ſolidity of theſe ſpeculations. It is in truth rather a *fanatical* than an irreligious ſpirit which dictates the organization of the Church of France. A *Janſeniſtical* party was formed in the Parlia-

* The Theory of Mr. Burke on the ſubject of Religious Eſtabliſhments, I am utterly at a loſs to comprehend. He will not adopt the impious reaſoning of Mr. Hume, nor does he ſuppoſe with Warburton any "*alliance* between Church and State," for he ſeems to conceive them be to originally the ſame. When he or his admirers tranſlate his ſtatements (*Reflections*, p. 145—6) into a ſeries of propoſitions expreſſed in preciſe and unadorned Engliſh, they may become the proper objects of argument and diſcuſſion. In their preſent ſtate they irreſiſtibly remind one of the obſervations of Lord Bacon. "Pugnax enim philoſophiæ genus & ſophiſticum illaqueat intellectum at illud alterum *Phantaſticum* et *tumidum* et quaſi *poeticum* magis *blanditur* intellectui. Ineſt enim homini quædam intellectus ambitio non minor quam voluntatis præſertim in *ingeniis altis* et *elevatis*. Nov. Org. § LXV.

ments

ments of that kingdom by their long hoſtilities with the Jeſuits and the ſee of Rome. Members of this party have in the National Aſſembly, by the ſupport of the inferior Clergy, acquired the aſcendant in Eccleſiaſtical Affairs. Of this number is M. Camus. The new conſtitution of the Church accords exactly with their dogmas. The Clergy are according to their principles to notify to the Biſhop of Rome their union in doctrine, but to recognize no ſubordination in diſcipline. The ſpirit of a dormant ſect thus revived in a new ſhape at ſo critical a period, the unintelligible ſubtleties of the Biſhop of *Ypres* thus influencing the inſtitutions of the eighteenth century, might preſent an ample field of reflexion to an enlightened obſerver of human affairs. But it is ſufficient for our purpoſe to obſerve the fact, and to remark the error of attributing to the hoſtile deſigns of atheiſm what in ſo great a degree has ariſen from the ardor of religious zeal.

The eſtabliſhment of the Church has not furniſhed any evidence of that to which Mr. Burke has attributed ſo much of the ſyſtem of the National Aſſembly. Let us examine whether a ſhort review of their financial operations will ſupply the defect.

* To the gloomy ſtatement of French finance offered by M. Calonne, let us oppoſe the report of M. de la Rochefoucalt, from the committee of finance on the 9th Dec. 1790, which from premiſes that appear indiſ-

* It may be remarked, that on the ſubject of finance I have declined all details. They were not neceſſary to my purpoſe, which was to conſider the Aſſembly's arrangements of revenue, more with a view to their SUPPOSED POLITICAL PROFLIGACY, than to their financial talents. I confine myſelf, therefore, to general remarks, and this I do with the greater pleaſure, becauſe I know the ability with which the ſubject will be treated by a gentleman, whom general ſagacity and accurate knowledge of French finance, peculiarly qualify for expoſing to the public the errors of Mr. Burke.

putable

putable, infers a conſiderable *ſurplus* revenue in the preſent year. The purity of that diſtinguiſhed perſon has hitherto been arraigned by no party. That underſtanding muſt be of a ſingular conſtruction which could heſitate between the Duc de la Rochfoucault and M. Calonne. But without uſing this *argumentum ad verecundiam*; we are to remark, that there are radical faults, which vitiate the whole calculations of that miniſter, and the conſequent reaſonings of Mr. Burke. They are taken from a year of confuſion, of languiſhing and diſturbed induſtry, and abſurdly applied to the future revenue of peaceful and flouriſhing periods. They are taken from a year in which much of the old revenue of the ſtate had been deſtroyed, and during which the Aſſembly had ſcarcely commenced its ſcheme of taxation. It is an error to aſſert that the Aſſembly had deſtroyed the former oppreſſive taxes, which formed ſo important a ſource of revenue. Theſe taxes periſhed in the con-

vulſive ſtruggle of the ancient Government. No authority remaining in France could have maintained them. Calculations cannot fail of being moſt groſſly illuſive, which are formed from a period when ſo many taxes had failed before they could be replaced by new impoſt, and when productive induſtry itſelf, the ſource of all revenue, was ſtruck with a momentary palſy.* Mr. Burke diſcuſſes the financial merit of the Aſſembly before it had begun its ſyſtem of taxation. It is premature to examine their general ſcheme of revenue, or to eſtabliſh general maxims on the ſurvey of a period which may be conſidered as an *interregnum* of finance.

* Mr. Burke exults in the deficiency confeſſed by M. Vernet of 8 millions ſterling, in Auguſt 1790. He follows it with an invective againſt the National Aſſembly, which one ſimple reflexion would have repreſſed. The ſuppreſſion of the *gabelle* alone accounted for almoſt a third of that deficiency! Its produce was eſtimated at 60 millions of livres, or about 2 millions and a half ſterling.

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The only financial operation which may be regarded as complete, is their emiſſion of *aſſignats*—the eſtabliſhment of a paper money, the repreſentative of the national property, which, while it facilitated the ſale of that property, ſhould ſupply the abſence of *ſpecie* in ordinary circulation. On this, as well as moſt other topics, the predictions of their enemies have been completely falſified. They predicted, that no purchaſers would be found, hardy enough to truſt their property on the tenure of a new and inſecure eſtabliſhment. But the national property has in all parts of France been bought with the greateſt avidity. They predicted that the eſtimate of its value would prove exaggerated; but it has ſold uniformly for double and treble that eſtimate. They have predicted that the depreciation of the *aſſignats* would in effect heighten the price of the neceſſaries of life, and fall with the moſt cruel ſeverity on the moſt indigent claſs of

mankind: The event has however been, that the *aſſignats*, ſupported in their credit by the rapid ſale of the property which they repreſented, have kept almoſt at *par*, that the price of the neceſſaries of life has lowered, and the ſufferings of the indigent been conſiderably alleviated. Many millions of *aſſignats*, already committed to the flames, form the moſt unanſwerable reply to the objections urged againſt them.*

Many purchaſers, not availing themſelves of that indulgence for gradual payment, which in ſo immenſe a ſale was unavoidable, have paid the whole price in advance. This has been peculiarly the caſe in the Northern Provinces, where opulent Farmers have been the chief purchaſers; a happy circumſtance, if it only tended to multiply that moſt uſeful and reſpectable claſs of men, who are proprietors and cultivators of the ground.

* At this moment nearly *one third*.

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The evils of this emiſſion in the circumſtances of France were tranſient; the beneficial effects permanent. Two great objects were to be obtained by it, one of policy, and another of finance. The firſt was to attach a great body of Proprietors to the Revolution, on the ſtability of which depended the ſecurity of their fortunes. This is what Mr. Burke terms, making them accomplices in confiſcation, though it was preciſely the policy adopted by the Engliſh Revolutioniſts, when they favoured the growth of a national debt, to intereſt a body of creditors in the permanence of their new eſtabliſhment. To render the attainment of the other great object, the liquidation of the Public debt, improbable, M. Calonne has been reduced to ſo groſs a miſrepreſentation, as to ſtate the probable value of the national property at only two *milliards*, (about 83 millions ſterling), though the beſt calculations have rated it at more than double that ſum. There is every

probability that this immenſe national eſtate will ſpeedily, diſburden France of the greateſt part of her national debt, remove the load of impoſt under which her induſtry has groaned, and open to her that career of proſperity for which ſhe was ſo evidently deſtined by the bounty of Nature. With theſe great benefits, with the acquittal of the Public debt, and the ſtability of freedom, this operation has, it muſt be confeſſed, produced ſome evils. It cannot be denied to have promoted, in ſome degree, a ſpirit of gambling, and it may give an undue aſcendant in the municipal bodies to the agents of the paper circulation. But theſe evils are fugitive. The moment that witneſſes the extinction of *aſſignats*, by the complete ſale of the national lands, muſt terminate them; and that period, our paſt experience renders probable, is not very remote. There was one general view, which, to perſons converſant in political œconomy, would, from the commencement of the operation have appeared

peared deciſive. Either the *aſſignats* were to retain their value, or they were not. If they retained their value, none of the apprehended evils could ariſe from them. If they were diſcredited, every fall in their value was a new motive to their holders to exchange them for national lands. No man would retain depreciated paper who could acquire ſolid property. If a great portion of them were thus employed, the value of thoſe left in circulation muſt immediately riſe, both becauſe their number was diminiſhed, and their ſecurity become more obvious. The fall of their value muſt have haſtened the ſale of the lands, and the ſale of the lands muſt have remedied the fall of their value. Their failure, as a medium of circulation, muſt have improved them as an inſtrument of ſale, and their ſucceſs as an inſtrument of ſale, muſt in return have reſtored their utility as a medium of circulation. *This* action, and re-action was inevitable, though the ſlight depreciation of

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the *aſſignats* have not made its effects very conſpicuous in France.

So determined is the oppoſition of Mr. Burke to thoſe meaſures of the Aſſembly which regard the finances of the Church, that even monaſtic inſtitutions have in him found an advocate. Let us diſcuſs the arguments which he urges for the preſervation of theſe monuments of human madneſs. In ſupport of an opinion ſo ſingular, he produces one *moral* and one *commercial* reaſon *. "In "monaſtic inſtitutions," in his opinion, "was found a great *power* for the mechaniſm "of politic benevolence."—"To deſtroy any "*power* growing wild from the rank produc-"tive force of the human mind, is almoſt "tantamount, in the moral world, to the "deſtruction of the apparently active proper-"ties of bodies in the material." In one

* Burke, p. 232—41.

word,

word, the ſpirit and the inſtitutions of monachiſm were an inſtrument in the hand of the Legiſlator, which he ought to have converted to ſome public uſe. I confeſs myſelf ſo far to ſhare the blindneſs of the National Aſſembly, that I cannot form the moſt remote conjecture concerning the various uſes which "have ſuggeſted themſelves to a contriving "mind." But without expatiating on them, let us attempt to conſtruct an anſwer to his argument on a broader baſis. The moral powers by which a Legiſlator moves the mind of man, are his paſſions; and if the inſane fanaticiſm which firſt peopled the deſerts of Upper Egypt with anchorites, ſtill exiſted in Europe, the Legiſlator muſt attempt the *direction* of a ſpirit which humanity forbad him to perſecute, and wiſdom to neglect. But monaſtic inſtitutions have for ages ſurvived the ſpirit which gave them birth. It was not neceſſary for any Legiſlature to deſtroy "that power growing wild out of the rank

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"productive force of the human mind," from which monachiſm had ariſen. It was like all other furious and unnatural paſſions, in its nature tranſient. It languiſhed in the diſcredit of miracles and the abſence of perſecution, and was gradually melted down in the ſunſhine of tranquility and opulence ſo long enjoyed by the Church. The ſoul which actuated monachiſm had fled. The ſkeleton only remained to load and deface ſociety.—The dens of fanaticiſm, where they did not become the receſſes of ſenſuality, were converted into the ſtyes of indolence and apathy. The moral power therefore no longer exiſted, for the ſpirit by which the Legiſlator could alone have moved theſe bodies, was no more. The product of fanaticiſm was therefore not fit to be the inſtrument of wiſdom. Nor had any new ſpirit ſucceeded which might be an inſtrument in the hands of legiſlative ſkill. Theſe ſhort-lived phrenzies leave behind them an *inert* product, in the ſame manner as, when

when the fury and ſplendor of volcanic eruption is paſt for ages, there ſtill remains a maſs of *lava* to encumber the ſoil, and deform the aſpect of the earth *.

* It is urged by Mr. Burke, as a ſpecies of incidental defence of monachiſm, that there are many modes of induſtry, from which benevolence would rather reſcue men than from monaſtic quiet. This muſt be allowed, in one view, to be true. But, though the laws *muſt permit* the natural progreſs which produces this ſpecies of labour, does it follow, that they *ought* to *create* monaſtic ſecluſion? Is the exiſtence of one ſource of miſery a reaſon for opening another? Becauſe noxious drudgery *muſt* be tolerated, are we to *ſanction* compulſory inutility?—Inſtances of ſimilar bad reaſoning from what ſociety *muſt* ſuffer to what ſhe *ought* to enact, occur in other parts of Mr. Burke's production. We in England, he ſays, do not think £.10,000 a year worſe in the hands of a Biſhop than in thoſe of a Baronet or a 'Squire. Exceſſive inequality is in both caſes an enormous evil. The laws *muſt* permit property to grow as the courſe of things affect it. But ought they to add a new factitious evil to this natural and irremediable one? They cannot avoid inequality in the income of *property*, becauſe they muſt permit property to diſtribute itſelf. But they can remedy exceſſive inequalities in the income of *office*, becauſe the income and the office are their creatures.

The ſale of the monaſtic eſtates is alſo queſtioned by Mr. Burke on a commercial principle. The ſum of his reaſoning may be thus expreſſed. The ſurplus product of the earth forms the income of the landed proprietor. That ſurplus the expenditure of ſome one muſt diſperſe, and of what import is it to ſociety, whether it be circulated by the expence of one land-holder, or of a ſociety of monks. A very ſimple ſtatement furniſhes an unanſwerable reply to this defence. The wealth of ſociety is its ſtock of productive labour. There muſt, it is true, be unproductive conſumers, but the fewer their number the greater *(all things elſe being the ſame)* muſt be the opulence of a ſtate. The poſſeſſion of an eſtate by a ſociety of monks eſtabliſhes, let us ſuppoſe *forty*, unproductive conſumers. The poſſeſſion of the ſame eſtate by a ſingle land-holder only neceſſarily produces *one*. It is therefore evident there is *forty* times the quantity of labour ſubtracted from the public ſtock, in the

the firſt caſe, that there is in the ſecond. If it be objected that the domeſtics of a land-holder are unproductive, let it be remarked that a monaſtery has its ſervants, and that thoſe of a *lay* proprietor are not *profeſſionally* and perpetually unproductive, as many of them become farmers and artizans, and it is to be obſerved, above all, that many of them are married.—Nothing then can appear on a plain commercial view of the ſubject more evident than the diſtinction between lay and monkiſh land-holders. It is ſurely unneceſſary to appeal to the motives which has every where produced ſtatutes of *Mortmain*, the neglected eſtate in which the land of eccleſiaſtical corporations which is ſuffered to remain, and the infinite utility which ariſes from changes of property in land. The face of thoſe countries where the transfers have been moſt rapid, will ſufficiently prove their benefit. Purchaſers ſeldom adventure without fortune, and the novelty

velty of their acquiſition inſpires them with the ardor of improvement.

No doubt can be entertained that the eſtates poſſeſſed by the Church will not encreaſe immenſely in their value. It is vain to ſay that they will be tranſferred to ſtock-jobbers. Situations, not names are to be conſidered in human affairs. He that has once taſted the indolence and authority of a land-holder, will with difficulty return to the comparative ſervility and drudgery of a monied capitaliſt. But ſhould the uſurious habits of the immediate purchaſer be inveterate, his ſon will imbibe the ſentiments of a landed proprietor from his birth. The heir of the ſtock jobbing *Alpheus* may acquire as perfectly the habits of an active improver of his patrimonial eſtate, as the children of *Cincinnatus*, or *Cato* the *Cenſor*.

To aid the feebleneſs of theſe arguments, Mr. Burke has brought forward a panegyrical

cal enumeration of the objects on which monaſtic revenue is expended. On this maſterpiece of faſcinating and magnificent eloquence, it is impoſſible to be laviſh of praiſe. It would have been quoted by QUINTILIAN as a ſplendid model of rhetorical commonplace. But criticiſm is not our object, and all that the diſplay of ſuch powers of oratory can on ſuch a ſubject ſuggeſt, is what might perhaps have ſerved as a characteriſtic motto to Mr. Burke's production.

Addidit *invalidæ* robur FACUNDIA cauſæ.

SECTION III.

Popular Exceſſes which attended the Revolution.

THAT no great revolutions can be accompliſhed without exceſſes and miſeries at which humanity revolts, is a truth which cannot be denied. This unfortunately is true, in a peculiar manner, of thoſe revolutions which, like that of France, are ſtrictly *popular*. Where the people are led by a faction, its leaders find no difficulty in the reeſtabliſhment of that Order, which muſt be the object of their wiſhes, becauſe it is the ſole ſecurity of their power. But when a general movement of the popular mind levels a deſpotiſm with the ground, it is far leſs eaſy to

to reſtrain exceſs. There is more reſentment to ſatiate, and leſs authority to controul. The paſſion which produced an effect ſo tremendous, is too violent to ſubſide in a moment into ſerenity and ſubmiſſion. The ſpirit of revolt breaks out with fatal violence after its object is deſtroyed, and turns againſt the order of freedom thoſe arms by which it had ſubdued the ſtrength of tyranny. The attempt to *puniſh* the ſpirit that actuates a *people*, if it were juſt, would be vain, and if it were poſſible would be cruel. They are too *many* to be puniſhed in a view of juſtice, and too *ſtrong* to be puniſhed in a view of policy. The oſtentation of vigour would in ſuch a caſe prove the diſplay of impotence, and the rigor of juſtice conduct to the cruelty of extirpation. No remedy is therefore left but the progreſs of inſtruction, the force of perſuaſion, the mild authority of opinion. Theſe remedies, though infallible, are of ſlow operation; and in the interval which elapſes be-

fore a calm ſucceeds the boiſterous moments of a Revolution, it is vain to expect that a people, inured to barbariſm by their oppreſſors, and which has ages of oppreſſion to avenge, will be punctilioufly generous in their triumph, nicely diſcriminative in their vengeance, or cautiouſly mild in their mode of retaliation. "They will break their chains "on the heads of their oppreſſors*."

Such was the ſtate of France, and ſuch were the obvious cauſes that gave birth to ſcenes which the friends of freedom deplore as tarniſhing her triumphs. They *feel* theſe evils as men of humanity. But they will not beſtow the name on that womaniſh and complexional ſenſibility, towards which, even in the ſtill intercourſe of private life, *indulgence* is mingled with love. The only humanity

* The eloquent expreſſion of Mr. CURRAN in the Parliament of Ireland, reſpecting the Revolution.

which,

which, in the great affairs of men, claims their reſpect, is that manly and expanded humanity, which fixes its ſteady eye on the object of general happineſs. The ſenſibility which ſhrinks at a preſent evil, without extending its views to future good, is not a virtue, for it is not a quality beneficial to mankind: It would arreſt the arm of a Surgeon in amputating a gangrened limb, or the hand of a Judge in ſigning the ſentence of a parricide. I do not ſay (God forbid!) that a crime may be committed for the proſpect of good. Such a doctrine would ſhake morals to their center. But the caſe of the French Revolutioniſts is totally different. Has any moraliſt ever pretended, *that we are to decline the purſuit of a good which our duty preſcribed to us, becauſe we foreſaw that ſome partial and incidental evil would ariſe from it.* This is the true view of the queſtion, and it is only by this principle that we are to eſtimate the re-

ſponſibility

ſponſibility of the leaders of the Revolution for the exceſſes which attended it.

If any of theſe leaders had crimes in contemplation for the attainment of their purpoſe, I abandon them to merited obloquy and execration. The man who would erect freedom on the ruins of morals, underſtands or loves neither. But the number againſt whom *this* charge has even been *inſinuated*, is ſo ſmall, that ſuppoſing (what I do not believe) its truth, it only proves that corrupt and ambitious men will mix with great bodies. The queſtion with reſpect to the reſt, is reducible to this—"Whether they were to abſtain "from eſtabliſhing a free Government, be- "cauſe they foreſaw that it could not be ef- "fected without confuſion and temporary di- "ſtreſs—Whether they were to be deterred "from purſuing that Conſtitution which "they deemed beſt for their country, by the

proſpect

" proſpect of partial and tranſient evils, or to
" be conſoled for theſe calamities by the view
" of that happineſs to which their labours
" were to give ultimate permanence and diffu-
" ſion?" A Miniſter is not conceived to be guilty of ſyſtematic immorality, becauſe he balances the evils of the moſt juſt war with that national ſecurity that is produced by the reputation of ſpirit and power; nor can the patriot, who, balancing the evils of tranſient anarchy with the ineſtimable good of eſtabliſhed liberty, find the laſt preponderate in the ſcale.

Such, in fact, has ever been the reaſonings of the leaders in thoſe inſurrections which have preſerved the remnant of freedom that ſtill exiſts among mankind. Holland, England, America, muſt have reaſoned thus, and the different portions of liberty which they enjoy, have been purchaſed by the endurance of far greater calamities than have been ſuf-

fered

fered by France. It is unneceſſary to appeal to the wars which for almoſt a century afflicted the Low Countries. But it may be neceſſary to remind England of the price ſhe paid for the eſtabliſhment at the Revolution. The diſputed ſucceſſion which aroſe from that event, produced a deſtructive civil war in Ireland, two rebellions in Scotland, the conſequent ſlaughter and baniſhment of thouſands of citizens, with the wideſt confiſcation of their properties; not to mention the continental connexions into which it plunged England, the foreign wars in which it engaged us, and the neceſſity thus impoſed upon us of maintaining a ſtanding army, and accumulating an enormous Public debt *.

* Yet this was only the combat of reaſon and freedom againſt *one* prejudice, that of hereditary right, whereas the French Revolution is, as has been ſublimely ſaid by the BISHOP OF AUTUN, "Le premier combat qui ſe ſoit jamais livrée entre TOUS les PRINCIPES et TOUTES les ERREURS!—*Addreſſe aux Francois*, 11 *Fev.* 1790.

The

The freedom of America was purchaſed by calamities ſtill more inevitable. The authors of the Revolution muſt have foreſeen them, for they were not contingent or remote, but ready in a moment to burſt on their heads. Their caſe is moſt ſimilar to that of France, and beſt anſwers one of Mr. Burke's moſt triumphant arguments. They enjoyed *ſome* liberty, which their oppreſſors did not attack. The object of reſiſtance was conceded in the progreſs of the war.—But like France, after the conceſſions of her King, they refuſed to acquieſce in an imperfect liberty, when a more perfect one was within their reach.—They purſued what Mr. Burke, *whatever were his then ſentiments*, on his *preſent* ſyſtem, muſt reprobate as a ſpeculative and ideal good. They ſought their beloved independence through new calamities, through the prolonged horrors of civil war. "Their reſiſtance," *from that moment*, "was againſt conceſſion. Their blows were

were aimed at a hand holding forth immunity and favours."—Events have indeed juſtified that noble reſiſtance. America has emerged from her ſtruggle into tranquility and freedom, into affluence and credit.—The authors of her Conſtitution have conſtructed a great permanent *experimental anſwer* to the ſophiſms and declamations of the detractors of liberty.

But what proportion did the price ſhe paid for ſo great a bleſſing bear to the tranſient misfortunes which have afflicted France?—The extravagance of the compariſon ſhocks every unprejudiced mind. No ſeries of events in hiſtory have probably been more widely, malignantly, and ſyſtematically exaggerated than the French commotions. An enraged, numerous and opulent body of exiles, diſperſed over Europe, have poſſeſſed themſelves of every venal preſs, and filled the public ear with a perpetual buz of the

crimes

crimes and horrors that were acting in France.* Inſtead of entering on minute ſcrutiny, the importance of which would neither expiate the tedioûſneſs, nor reward the toil, let us content ourſelves with oppoſing one general fact to this hoſt of falſehoods. *No commercial houſe of importance has failed in France ſince the Revolution!*— How is this to be reconciled with the tales that have been circulated. As well might the transfers of the *Royal-Exchange*, be quietly executed in the ferocious anarchy of *Gondar*,

* The *manœuvres* of M. Calonne, in England, are too obvious from the complexion of ſome Engliſh prints. He informs us, that he had at once in contemplarion to have inſerted in a note at the end of his work extracts from the public papers in all the nations of Europe, demonſtrating the general horror in which the French Revolution was held. This note would have been the more amuſing, *as probably all theſe paragraphs were compoſed, and tranſmitted to theſe Papers by M. Calonne himſelf:*—who would thus be the ſelf-created organ of the voice of Europe.

and

and the peaceful opulence of *Lombard-ſtreet*, flouriſh amid *hordes* of *Galla* and *Agows*.—Commerce, which ſhrinks from the breath of civil confuſion, has reſiſted this tempeſt, and a mighty Revolution has been accompliſhed with leſs commercial derangement than could ariſe from the bankruptcy of a ſecond rate houſe in London, or Amſterdam. The manufacturers of Lyons, the merchants of Bourdeaux and Marſeilles, are ſilent amid the lamentations of the Abbé Maury, M. Calonne, and Mr. Burke. Happy is that people whoſe commerce flouriſhes in *Ledgers*, while it is bewailed in orations, and remains untouched in *calculation*, while it expires in the pictures of eloquence. This unqueſtionable fact, is on ſuch a ſubject worth a thouſand arguments, and to any mind qualified to judge, muſt expoſe in their true light thoſe execrable fabrications, which have ſounded ſuch a "ſenſeleſs yell" through Europe.

But

But let us admit for a moment their truth, and take as a ſpecimen of the evils of the Revolution, the number of lives which have been loſt in its progreſs. That no poſſibility of cavil may remain, let us ſurpaſs in an exaggerated eſtimate the utmoſt audacity of falſehood. Let us make a ſtatement from which the moſt frontleſs hireling of *Calonne* would ſhrink. Let us for a moment ſuppoſe, that in the courſe of the Revolution 20,000 lives have been loſt. On the compariſon of even this loſs with parallel events in hiſtory, is there any thing in it from which a manly and enlightened humanity will recoil? Can it be compared with the ſlaughter that eſtabliſhed American freedom, or with the fruits of the Engliſh Revolution? But this compariſon is an injuſtice to the argument. Compare it with the expenditure of blood by which in ordinary wars ſo many pernicious and ignoble objects are ſought.

Compare

Compare it with the blood ſpilt by England in the attempt to ſubjugate America, and if ſuch be the guilt of the Revolutioniſts of France, for having, at the *hazard* of this evil, ſought the eſtabliſhment of freedom, what new name of obloquy ſhall be applied to the Miniſter of England, who with the *certainty* of a deſtruction ſo much greater, attempted the eſtabliſhment of tyranny.

The illuſion which prevents the effect of theſe compariſons, is not peculiar to Mr. Burke. The maſſacres of war, and the murders committed by the ſword of juſtice, are diſguiſed by the ſolemnities which inveſt them. But the wild juſtice of the people has a naked and undiſguiſed horror. Its ſlighteſt exertion awakens all our indignation, while murder and rapine, if arrayed in the gorgeous diſguiſe of acts of State, may with impunity ſtalk abroad. Our ſentiments are reconciled to them in this

form, and we forget that the evils of anarchy muſt be ſhort lived, while thoſe of deſpotic government are fatally permanent.

Another illuſion has particularly in England favoured the exaggeration of the exiles. We judge of France by our own ſituation. This is to view it through a falſe medium. We ought to judge of it by a compariſon with nations in *ſimilar circumſtances*. With us "the times may be moderate*, and therefore "ought to be peaceable:" But in France the times were not moderate, and could not be peaceable.

Let us correct that illuſion of *moral optics* which makes near objects ſo diſproportionately large. Let us place the ſcene of the French Revolution in a remote age, or in a diſtant nation, and then let us calmly aſk our own minds, whether the moſt reaſonable ſubject of wonder be not its unexampled mildneſs, and the ſmall number of

* Junius.

individuals

individuals cruſhed in the fall of ſo vaſt a pile.

Such are the general reflexions ſuggeſted by the diſorders of the French Revolution. Of theſe, the firſt in point of time as well of importance, was the Pariſian inſurrection and the capture of the Baſtile. The mode in which that memorable event is treated by Mr. Burke, is worthy of notice. It occupies no conſpicuous place in his work. It is only obſcurely and contemptuouſly hinted at as one of thoſe examples of ſucceſsful revolt, which have foſtered a mutinous ſpirit in the ſoldiery. "They have not forgot the taking of the KING'S CASTLES in Paris and at Marſeilles. That they murdered with impunity in both places the Governors, has not eſcaped their minds." (Burke, p. 307—8.) Such is the courtly circumlocution by which Mr. Burke deſigns the Baſtile—*the King's Caſtle at Paris.* Such is the ignominious

minious language in which he ſpeaks of the ſummary juſtice executed on the titled ruffian who was its Governor; and ſuch is the apparent art with which he has thrown into the back ground invective and aſperity, which if they had been prominent, would have provoked the indignation of mankind.

" *Je ſais,*" ſays Mounier, in the language of that frigid and ſcanty approbation that is extorted from an enemy, " *qu'il eſt* " *des circonſtances qui legitiment l'inſurrection,* " *& je mets dans ce nombre celles qui ont causé* " *le ſiège de la Baſtille.*" (*Exposé de Mounier*, p. 24). But the admiration of Europe and of poſterity, is not to be eſtimated by the penurious applauſe of M. Mounier, nor repreſſed by the inſidious hoſtility of Mr. Burke. It will correſpond to the ſplendor of an inſurrection, as much ennobled by heroiſm as it was juſtified by neceſſity, in which the citizens of Paris, the unwarlike inhabitants of a voluptuous

luptuous capital, liſtening to no voice but that of the danger which menaced their repreſentatives, their families, and their country, animated, inſtead of being awed, by the hoſts of diſciplined mercenaries that inveſted them on every ſide; formed themſelves into an army, attacked with a gallantry and ſucceſs equally incredible, a fortreſs formidable from its ſtrength, and tremendous from its deſtination; diſpelled every hoſtile project, and changed the deſtiny of France. To palliate or excuſe ſuch a revolt, would be abject treachery to its principles. It was a caſe in which revolt was the dictate of virtue, and the path of duty; and in which ſubmiſſion would have been the moſt daſtardly baſeneſs, and the fouleſt crime. It was an action not to be excuſed, but applauded; not to be pardoned, but admired. I ſhall not therefore deſcend to vindicate acts of heroiſm, which hiſtory will teach the remoteſt poſterity to revere, and of which the recital is deſtined to

kindle

kindle in unborn millions the holy enthuſiaſm of Freedom.

Commotions of another deſcription early followed the Revolution, partly ariſing from the general cauſes before ſtated, and partly from others of more limited and local operation. The peaſantry of the provinces, buried for ſo many ages in the darkneſs of ſervitude, ſaw, indiſtinctly and confuſedly, in the firſt dawn of liberty, the boundaries of their duties and their rights. It was no wonder that they ſhould little underſtand that freedom which ſo long had been remote from their views. The name conveyed to their ear a right to reject all reſtraint, to gratify every reſentment, and to attack all property. Ruffians mingled with the deluded peaſants, with hopes of booty, and inflamed their ignorance and prejudices, by forged acts of the King and the Aſſembly authorizing their licentiouſneſs. From theſe circumſtances aroſe many calamities in the

provinces. The country-houſes of many gentlemen were burnt, and ſome obnoxious perſons were aſſaſſinated. But one may without exceſſive ſcepticiſm doubt, whether they had been the *mildeſt maſters* whoſe *chateaux* had undergone that fate. Perhaps the peaſants had oppreſſions to avenge, thoſe ſilent grinding oppreſſions that form almoſt the only intercourſe of the rich with the indigent; which though leſs flagrant than thoſe of Government, are perhaps productive of more intolerable and diffuſive miſery.

But whatever was the demerit of theſe exceſſes, they can by no torture of reaſon be imputable to the National Aſſembly, or the leaders of the Revolution. In what manner were they to repreſs them? If they exerted againſt them their own authority with rigor, they muſt have provoked a civil war. If they invigorated the police and tribunals of the depoſed Government, beſides incurring the ha-

zard of the ſame calamity, they put arms into the hands of their enemies. Placed in this *dilemma*, they were compelled to expect a ſlow remedy from the returning ſerenity of the Public mind, and from the progreſs of the new Government towards conſiſtence and vigor *.

A degree of influence exerted by the people, far more than would be tolerated by a firm Government, or could exiſt in a ſtate of tranquillity, muſt be expected in the criſis of a

* If this ſtatement be candid and exact, what ſhall we think of the language of Mr. BURKE, when he ſpeaks of the ASSEMBLY *as* "*authorizing* treaſons, robberies, rapes, aſſaſ-"ſinations, ſlaughters, and burnings, throughout all their "harraſſed land." P. 58. In another place he groupes together the legiſlative extinction of the *Order* of Nobles with the popular exceſſes committed againſt *individual* Noblemen, to load the Aſſembly with the accumulated obloquy. *See p.* 200. A mode of proceeding more remarkable for controverſial dexterity than for candor.

Revolution, which the *people* have made.—They have too recent experience of their own ſtrength to abſtain at once from exerting it. Their political paſſions have been agitated by too fierce a ſtorm to regain in a moment that ſerenity which would expect with patient acquieſcence the decrees of their Repreſentatives. From an inflamed multitude, who had felt themſelves irreſiſtible, and whoſe fancy annexed to the deciſion of every political queſtion the fate of their freedom, an undue interpoſition in the proceedings of the Legiſlature was to have been expected. The paſſions which prompt it are vehement; the arguments which prove its impropriety are remote and refined. Too much, therefore, of this interpoſition was at ſuch a conjuncture inevitable. It is without doubt a great evil, but it is irremediable. The ſubmiſſion of the people in a period of tranquillity, degenerates into a liſtleſs and torpid negligence of public affairs, and the fervor which the moment of Revolution

tion inſpires, neceſſarily produces the oppoſite extreme. That, therefore, the conduct of the populace of Paris ſhould not have been the moſt circumſpect and decorous reſpecting the deliberations of the Aſſembly, that it ſhould be frequently irregular and tumultuous, was, in the nature of things, inevitable. But the horrible picture which Mr. Burke has drawn of that "ſtern neceſſity" under which this "captive" Aſſembly votes, is neither juſtified by this conceſſion, nor by the ſtate of facts. It is the overcharged colouring of a fervid imagination. Thoſe whom he alludes to, as driven away by aſſaſſins, M. M. Lally and Mounier, might, ſurely, have remained with perfect ſafety in an Aſſembly in which ſuch furious invectives are daily bellowed forth with impunity againſt the popular leaders. No man will deny, that that Member of the Minority enjoyed liberty of ſpeech in its utmoſt plenitude, who called M. Mirabeau "*Le plus* "*vil des tous les aſſaſſins.*" "The terrors of

" the lamp-poſt and bayonet" have hitherto been viſionary. Popular fury has hitherto ſpared the moſt furious declaimers of Ariſtocracy, and the only *decree*, ſo far as I can diſcern, which has even been *pretended* to have been materially influenced by the populace, is that reſpecting the prerogatives of war and peace. That tumult has frequently derogated from the dignity and decorum which ought to diſtinguiſh the deliberations of a legiſlative Aſſembly, is not to be denied. But the only important queſtion regards the *effect* of theſe tumults on their deciſions. That their debates have been tumultuous, is of little importance, if their deciſions have been independent.—Even in the queſtion of war and peace, " the " higheſt bidder at the auction of popula- " rity *" did not ſucceed. The ſcheme of M. Mirabeau, with few amendments, prevailed, while the more " ſplendidly popular"

* Burke, p. 353.

propoſitions,

propoſitions, which veſted in the Legiſlature alone the prerogative of war and peace, were rejected.

We are now conducted by the courſe of theſe ſtrictures to the exceſſes committed at Verſailles on the 5th and 6th of October, 1789. After the moſt careful peruſal of the voluminous evidence before the *Chatelet*, of the controverſial pamphlets of M. M. d'Orleans and Mounier, and of the official report of M. Chabroud to the Aſſembly, the details of the affair ſeem to me ſo much involved in obſcurity and contradiction, that they afford little on what a candid mind can with confidence pronounce.

They afford, indeed, to frivolous and puerile adverſaries the means of convicting Mr. Burke of ſome minute errors. Monſ. *Miomandre*, the centinel at the Queen's-gate, it is true, ſurvives, but it is no leſs true, that he was left

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for dead by his aſſaſſins. On the compariſon of evidence, it ſeems probable, that the Queen's chamber was not broken into, "*that* "*the aſylum of beauty and Majeſty was not* "*profaned**." But theſe ſlight corrections palliate little the atrocity, and alter not, in the leaſt, the general complexion of theſe flagitious ſcenes.

The moſt important queſtion which the ſubject preſents to a reflecting mind is, whether the Pariſian populace were the inſtruments of conſpirators, or whether their fatal march to Verſailles was a ſpontaneous movement, produced by real or chimerical appre-

* The expreſſion of M. Chabroud. Five witneſſes aſſert, that the ruffians did not break into the Queen's chamber. Two give the account followed by Mr. Burke, and to give this preponderance its due force, let it be recollected, that the whole proceedings before the *Chatelet* were *ex parte*. See *Procedure Criminelle faite au Chatelet de Paris*, &c. *deux Parties*. PARIS, 1790.

henſions

henſions of plots againſt their freedom. I confeſs that I incline to the latter opinion.—*Natural cauſes* ſeem to me adequate to account for the movement. A ſcarcity of proviſion is not denied to have exiſted in Paris. The dinner of the body-guards might, ſurely, have provoked a people more tranquil than thoſe of a city ſcarce recovered from the ſhock of a great Revolution. The maledictions poured forth againſt the National Aſſembly, the inſults offered to the patriotic cockade, the obnoxious ardor of *loyalty* diſplayed on that occaſion, might have awakened even the jealouſy of a people whoſe ardor had been ſated by the long enjoyment, and whoſe alarms had been quieted by the ſecure poſſeſſion of liberty. The eſcape of the King would be the infallible ſignal of civil war—the expoſed ſituation of the Royal reſidence was therefore a ſource of perpetual alarm. Theſe cauſes operating on that credulous jealouſy, which is the malady of the Public mind in

times of civil confuſion, which ſees hoſtility and conſpiracy on every ſide, ſeem ſufficient to have actuated the Pariſian populace.

The apprehenſions of the people in ſuch a period torture the moſt innocent and frivolous accidents into proofs of ſanguinary plots.—Witneſs the *war* of *conſpiracies* carried on by the contending factions in the reign of Charles the Second. The boldneſs with which ſuch charges are then fabricated, and the facility with which they are credited, form indeed, in the mind of a wiſe man, the ſtrongeſt preſumptions againſt their truth. It is in peruſing the hiſtory of ſuch a period, that his ſcepticiſm reſpecting conſpiracies is the moſt vigilant. The reſearch of two centuries has not, in England, been able to decide diſputes which theſe accuſations have produced. The participation of Queen Mary in Babington's Plot againſt Elizabeth, is ſtill the ſubject of controverſy. We, at the preſent day, diſpute about

about the nature of the connexion which ſubſiſted between Charles the Firſt and the Catholic inſurgents of Ireland. It has occupied the labour of a century to ſeparate truth from falſehood in the *Rye-houſe Plot*, to diſtinguiſh what both the friendſhip and enmity of cotemporaries confounded; the views of the leaders from the ſchemes of the inferior conſpirators, and to diſcover that Ruſſel and Sydney had, indeed, conſpired a revolt, but that the underlings alone had plotted the aſſaſſination of the King.

It may indeed be ſaid, that ambitious leaders availed themſelves of the inflamed ſtate of Paris, that by falſe rumours, and exaggerated truths, they ſtimulated the revenge, and increaſed the fears of the populace; that their emiſſaries, mixing with the mob, and concealed by its confuſion, were to execute their flagitious purpoſes; that conſpiracy was thus joined to popular madneſs, and fanatics, as

uſual,

uſual, were the dupes of hypocritical leaders. Such is the accuſation which has been made againſt M. d'Orleans and M. Mirabeau.—*Their* defence is not impoſed on the admirers of the French Revolution. That Revolution is not ſtigmatized, becauſe its progreſs has not been altogether exempt from the interpoſition of profligate ambition, from which who can guard any of the affairs of men? Their cauſe is foreign from that of Revolution, and to become the advocate of *individuals*, were to forget the dignity of a diſcuſſion that regards the rights and intereſts of an emancipated nation. Of their guilt, however, I will be bold to ſay, evidence was not collected by the malignant activity of an avowedly hoſtile tribunal, which, for a moment, would have ſuſpended their acquittal by an Engliſh Jury. It will be no mean teſtimony to the innocence of M. Mirabeau, that an opponent, not the mildeſt in his enmity, nor the moſt candid in his judgment, confeſſed, that he ſaw no ſe-

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rious ground of accuſation againſt him.—— "*J'avoue*," ſays the Abbé Maury, "*que je ne vois aucune imputation grave contre M. de Mirabeau* *."

One circumſtance of repulſive improbability is on the face of the project attributed to them, that of intimidating the King into a flight, that there might be a pretext for elevating the Duke of Orleans to the office of Regent. But the King could have had no rational hopes of eſcaping, for he muſt have traverſed 200 miles of a country guarded by a people in arms, before he could reach the neareſt frontier of the kingdom. The object of the conſpiracy then was too abſurd to be purſued by conſpirators, to whom talent and ſagacity have not been denied by their enemies. That the popular leaders in France did, indeed, deſire

* Diſcours de M. l'Abbé Maury dans l'Aſſemblée Nationale, 1 October, 1790.

to

to fix the Royal reſidence at Paris, it is impoſſible to doubt. The name, the perſon, and the authority of the King, would have been moſt formidable weapons in the hands of their adverſaries. The peace of their country, the ſtability of their freedom, called on them to uſe every meaſure that could prevent their enemies from getting poſſeſſion of that "Royal "Figure." The name of the King would have ſanctioned foreign powers in ſupporting the Ariſtocracy. Their interpoſition, which *now* would be hoſtility againſt the King and kingdom, would *then* have been only regarded as aid againſt rebellion. The name of the King would faſcinate and inflame the people of the Provinces. Againſt all theſe dreadful conſequences, there ſeemed only one remedy, the reſidence of the King at Paris. Whether that reſidence is to be called a captivity, or by whatever other harſh name it is to be deſigned, I will not heſitate to affirm, that the Parliament of England would have merited

the

the gratitude of their country, and of poſterity, by a ſimilar prevention of the eſcape of Charles I. from London. The ſame act would have given ſtability to their limitations of kingly power, prevented the horrors of civil war, the deſpotiſm of Cromwell, the relapſe into ſervitude under Charles II. and the calamities that followed the ſubſequent Revolution. Fortunate would it have been for England, if the perſon of James II. had been retained while his authority was limited. She would then have been circumſtanced as France is now; where the odium of perſonal miſconduct would have kept alive a ſalutary jealouſy of power, the prejudices of *perſonal right* would not have been provoked to hoſtility againſt the Conſtitution, nor the people compelled to entruſt their new Sovereign with exorbitant ſtrength to defend *their* freedom and *his* conteſted throne. Such is the general view which a calm ſurvey may ſuggeſt of the 6th October. The march to Verſailles ſeems

to have been the ſpontaneous movement of an alarmed populace. Their views, and the ſuggeſtions of their leaders, were probably bounded by procuring the King to change his reſidence to Paris, but the colliſion of armed multitudes terminated in unforeſeen exceſſes and execrable crimes.

In the eye of Mr. Burke, however, theſe crimes and exceſſes aſſume an aſpect far more important than can be communicated to them by their own inſulated guilt. They form, in his opinion, the criſis of a Revolution far more important than any change of Government; a Revolution, in which the ſentiments and opinions that have formed the manners of the European nations are to periſh. "The age "of chivalry is gone, and the glory of Europe "extinguiſhed for ever." He follows this exclamation by an eloquent eulogium on chivalry, and by gloomy predictions of the future ſtate of Europe, when the nation that has been

been ſo long accuſtomed to give her the tone in arts and manners is thus debaſed and corrupted. A caviller might remark, that ages much more near the meridian fervor of chivalry than ours, have witneſſed a treatment of Queens as little gallant and generous as that of the Pariſian mob. He might remind Mr. Burke, that in the age and country of Sir Philip Sidney, a Queen of France, whom no blindneſs to accompliſhment, no malignity of detraction could reduce to the level of *Maria-Antonietta*, was, by "a nation of men "of honour and cavaliers," permitted to languiſh in captivity, and expire on a ſcaffold; and he might add, that the manners of a country are more ſurely indicated by the ſyſtematic cruelty of a Sovereign, than by the licentious phrenzy of a mob. He might remark, that the mild ſyſtem of modern manners, which ſurvived the maſſacres with which fanaticiſm had for a century, deſolated and almoſt barbarized Europe, might, perhaps,

reſiſt the ſhock of one day's exceſſes committed by a delirious populace. He might thus, perhaps, oppoſe ſpecious and popular topics to the declamation of Mr. Burke.

But the ſubject itſelf is, to an enlarged thinker, fertile in reflexions of a different nature. That ſyſtem of manners which aroſe among the Gothic nations of Europe, of which chivalry was more properly the effuſion than the ſource, is without doubt one of the moſt peculiar and intereſting appearances in human affairs. The moral cauſes which formed its character have not, perhaps, been hitherto inveſtigated with the happieſt ſucceſs. But to confine ourſelves to the ſubject before us. Chivalry was certainly one of the moſt prominent features and remarkable effects of this ſyſtem of manners. Candor muſt confeſs, that this ſingular inſtitution is not *alone* admirable as a corrector of the ferocious ages in which it flouriſhed. It contributed to poliſh

and

and ſoften Europe. It paved the way for that diffuſion of knowledge and extenſion of commerce which afterwards, in ſome meaſure, ſupplanted it, and gave a new character to manners. Society is inevitably progreſſive:—. In Government, commerce has overthrown that "feudal and chivalrous ſyſtem" under whoſe ſhade it firſt grew. In religion, learning has ſubverted that ſuperſtition whoſe opulent endowments had firſt foſtered it. Peculiar circumſtances ſoftened the barbariſm of the middle ages to a degree which favoured the admiſſion of commerce and the growth of knowledge. Theſe circumſtances were connected with the manners of chivalry. But the ſentiments peculiar to that inſtitution could only be preſerved by the ſituation which gave them birth. They were, therefore, enfeebled in the progreſs from ferocity and turbulence, and almoſt obliterated by tranquillity and refinement. But the auxiliaries which the manners of chivalry had in rude ages reared, ga-

thered ſtrength from its weakneſs, and flouriſhed in its decay. Commerce and diffuſed knowledge have, in fact, ſo completely aſſumed the aſcendant in poliſhed nations, that it will be difficult to diſcover any relics of *Gothic manners*, but in a fantaſtic exterior, which has ſurvived the generous illuſions that made theſe manners ſplendid and ſeductive. Their *direct* influence has long ceaſed in Europe*, but their *indirect* influence, through the medium of thoſe cauſes, which would not perhaps have exiſted, but for the mildneſs which chivalry created in the midſt of a barbarous age, ſtill operates with increaſing vigor. The manners of the middle age were, in the moſt ſingular ſenſe, compulſory. Enterprizing benevolence was produced by general fierceneſs, gallant courteſy by ferocious rude-

" Thoſe elfin charms that held in magic night
" Our elder fame, and dimm'd our genuine light,
" At length diſſolve in TRUTH's meridian ray."

neſs,

neſs, and artificial gentleneſs reſiſted the torrent of natural barbariſm. But a leſs incongruous ſyſtem has ſucceeded, in which commerce, which unites men's intereſts, and knowledge which excludes thoſe prejudices that tend to embroil them, preſent a broader baſis for the ſtability of civilized and beneficent manners.

Mr. Burke, indeed, forebodes the moſt fatal conſequences to literature from events, which he ſuppoſes to have given a mortal blow to the ſpirit of chivalry. I have ever been protected from ſuch apprehenſions by my belief in a very ſimple truth, *that diffuſed knowledge immortalizes itſelf.* A literature which is confined to a few, may be deſtroyed by the maſſacre of ſcholars and the conflagration of libraries; but the diffuſed knowledge of the preſent day could only be annihilated by the extirpation of the civilized part of mankind.

Far from being hoſtile to letters, the French Revolution has contributed to ſerve their cauſe in a manner hitherto unexampled in hiſtory. The political and literary progreſs of nations has hitherto been the ſame; the period of their eminence in arts has alſo been the æra of their hiſtorical fame; and no example occurs in which great *political* ſplendor has been ſubſequent to the *Auguſtan age*. Previous to the year 1789, this might have been conſidered as a maxim to which hiſtory furniſhed no exception. But France, which is deſtined to refute every abject and arrogant doctrine that would limit the human powers, preſents a new ſcene. There the ſhock of a Revolution has infuſed the ardor of juvenile literature into a nation tending to decline. New arts are called forth when all ſeemed to have paſſed their zenith. France enjoyed one Auguſtan age, foſtered by the favor of deſpotiſm. She ſeems about to witneſs another, created by the energy of freedom.

In

In the opinion of Mr. Burke, however, ſhe is advancing by rapid ſtrides to ignorance and barbariſm*. "Already," he informs us, "there "appears a poverty of conception, a coarſe-"neſs and vulgarity in all the proceedings of "the Aſſembly, and of all their inſtructors. "Their liberty is not liberal. Their ſcience "is preſumptuous ignorance. Their huma-"nity is ſavage and brutal." To animadvert on this modeſt and courteous picture belongs not to the preſent ſubject; and *impreſſions* cannot be diſputed, more eſpecially when their grounds are not aſſigned. All that is left is, to declare oppoſite impreſſions with a confidence authorized by the example. The proceedings of the National Aſſembly of France appear to me to contain models of more ſplendid eloquence, and examples of more profound political reſearch

* Burke, p. 118,

than

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY.

than have been exhibited by any public body in modern times. I cannot therefore augur, from theſe proceedings, the downfall of philoſophy, or the extinction of eloquence.

Thus various are the aſpects which the French Revolution, not only in its influence on literature, but in its general tenor and ſpirit, preſents to minds occupied by various opinions. To the eye of Mr. Burke it exhibits nothing but a ſcene of horror. In his mind it inſpires no emotion but abhorrence of its leaders, commiſeration of their victims, and alarms at the influence of an event which menaces the ſubverſion of the policy, the arts, and the manners of the civilized world. Minds who view it through another medium are filled by it with every ſentiment of admiration and triumph, of admiration due to ſplendid exertions of virtue, and of triumph inſpired by widening proſpects of happineſs.

SECT.

SECTION IV.

New Conſtitution of France.

A Diſſertation approaching to completeneſs on the new Conſtitution of France would, in fact, be a vaſt ſyſtem of political ſcience. It would include a developement of the principles that regulate every portion of Government. So immenſe an attempt is little ſuited to our preſent limits. But ſome remarks on the prominent features of the French ſyſtem are exacted by the nature of our vindication. They will conſiſt chiefly of a defence of their grand THEORETIC PRINCIPLE, and their moſt *important* PRACTICAL INSTITUTION.

The

The principle of theory which has actuated the Legiſlators of France has been, that the object of all legitimate Government is the aſſertion and protection of the NATURAL RIGHTS OF MAN. They cannot indeed be abſolved of ſome deviations from the path preſcribed by this great principle; few indeed compared with thoſe of any other body of whom hiſtory has preſerved any record; but too many for their own glory, and for the happineſs of the human race. This principle, however, is the baſis of their edifice, and if it be falſe, the ſtructure muſt fall to the ground. Againſt this principle, therefore, Mr. Burke has, with great judgment, directed his attack. Appeals to natural right are, according to him, inconſiſtent and prepoſterous. A complete abdication and ſurrender of all natural right is made by man in entering into Society, and the only rights which he retains are CREATED by the compact which holds together the ſociety of which he is a member.

This

This doctrine he moſt explicitly aſſerts:— "The moment," ſays he, "you abate any "thing from the full rights of men each to "govern himſelf, and ſuffer any artificial po- "ſitive limitation on thoſe rights, from that "moment the whole organization of ſociety "becomes a conſideration of convenience." Burke, p. 89. "How can any man claim under "the conventions of civil ſociety rights which "do not ſo much as ſuppoſe its exiſtence— "Rights which are abſolutely repugnant to "it?" Ibid. p. 88. To the ſame purpoſe is his whole reaſoning from p. 86 to p. 92. To examine this doctrine, therefore, is of fundamental importance. To this effect it is not neceſſary to enter on any elaborate reſearch into the metaphyſical principles of politics and ethics. A full diſcuſſion of the ſubject would indeed demand ſuch an inveſtigation *. The

* It might, perhaps, not be difficult to prove, that far from a *ſurrender*, there is not even a *diminution* of the natural rights

origin of natural rights muſt have been illuſtrated, and even their exiſtence proved againſt ſome theoriſts. But ſuch an enquiry would have been inconſiſtent with the nature of a publication addreſſed to popular conviction. We are beſides abſolved from the neceſſity of it in a controverſy with Mr. Burke, who himſelf recognizes them in the moſt ample form.

Granting their exiſtence, the diſcuſſion is ſhort. The only criterion by which we can eſtimate the *portion* of natural right ſurrendered by man on entering into ſociety, is the *object* of the ſurrender. If more is claimed than that exacts, it becomes not an *object*, but

rights of man by their entrance into Society. The exiſtence of ſome union with greater or leſs permanence and perfection of public force for public protection (*the eſſence of Government*) might be demonſtrated to be coeval, and co-extended with man. All theories therefore, which ſuppoſe the *actual exiſtence* of any ſtate antecedent to the ſocial, might be convicted of futility and falſehood.

a *pretext*.

a *pretext*. Now the *object* for which a man reſigns any portion of his natural ſovereignty over his own actions is, that he may be protected from the *abuſe* of the ſame dominion in other men. No greater ſacrifice is therefore neceſſary than is preſcribed by this object, the reſignation of *powers* that in their exerciſe might be injurious to ANOTHER. Nothing, therefore, can be more fallacious, than to pretend that we are precluded in the ſocial ſtate from *any* appeal to natural right *. It remains

* " Trouver une forme d'aſſociation qui defende & pro-
" tege de toute la force commune la perſonne & les biens de
" chaque aſſocié, & par laquelle chacun s'uniſſant a tous
" *n'obeiſſe pourtant qu'a lui-même & reſte auſſi libre qu'au-*
" *paravant?*" Rouſſeau Du Contrac Social, livre i. chap. vi. I am not intimidated from quoting Rouſſeau by the deriſion of Mr. Burke. Mr. Hume's report of his literary ſecret ſeems moſt unfaithful. The ſenſibility, the pride, the fervor of his character, are pledges of his ſincerity; and had he even commenced with the fabrication of paradoxes, for attracting attention, it would betray great ignorance of human nature to ſuppoſe, that in the ardor of conteſt, and the glory

in its full integrity and vigor, if we except that *portion* of it which men mutually ſacrifice for protection againſt each other. They do not ſurrender *all*; that is not exacted by the object they have in view; and whatever Government, under *pretence* of that ſurrender of natural right which is made for mutual ſecurity, aſſumes more than that object *rigorouſly* preſcribes, is an uſurpation ſup-

gloty of ſucceſs, he muſt not have become the dupe of his own illuſions, a convert to his own impoſture. It is indeed not improbable, that when rallied on the eccentricity of his paradoxes, he might, in a moment of gay effuſion, have ſpoken of them as a ſport of fancy, and an experiment on the credulity of mankind. The Scottiſh philoſopher, inacceſſible to enthuſiaſm, and little ſuſceptible of thoſe depreſſions and elevations, thoſe agonies and raptures, ſo familiar to the warm and wayward heart of Rouſſeau, neither knew the ſport into which he could be relaxed by gaiety, nor the ardor into which he could be exalted by paſſion. Mr. Burke, whoſe temperament is ſo different, might have experimentally known ſuch variations, and learnt better to diſcriminate between effuſion and deliberate opinion.

ported

ported by ſophiſtry, a deſpotiſm varniſhed by illuſion. It follows from this principle, that the ſurrender of right muſt be *equal* in all the members of ſociety, as the object is to all preciſely the ſame. In effect, ſociety, inſtead of deſtroying, realizes and ſubſtantiates equality. In a ſtate of *nature*, the equality of right is an impotent theory, which inequalities of ſtrength and ſkill every moment violate. It is called into energy and effect only by ſociety. As natural equality is not conteſted, and that the ſum of right ſurrendered by every individual is equal, it cannot be denied that the remnant ſpared by the ſocial compact muſt be equal alſo. *Civil* inequalities, or, more correctly, civil diſtinction, muſt exiſt in the ſocial body, becauſe it muſt poſſeſs organs deſtined for different functions. But political inequality is equally inconſiſtent with the principles of natural right and the object of civil inſtitution *.

* " But as to the ſhare of power, authority and direc-
" tion, which each individual ought to have in the manage-

Men retain a right to a ſhare in their own Government, becauſe the exerciſe of this right by one man is not inconſiſtent with its poſſeſſion by another, which is evidently the only caſe where the ſurrender of a natural right can be exacted by ſociety.

This doctrine is not more abſtractly evident than it is practically important. The ſlighteſt deviation from it legitimates every tyranny. If the only criterion of Governments be the ſuppoſed *convention* which forms them, ALL are equally legitimate, for the only interpreter of the convention is the uſage of the Government, which is thus prepoſterouſly made its own ſtandard. Governors muſt, indeed, abide by the maxims of the Conſtitution they adminiſter; but what the

" ment of a ſtate, that I muſt deny to be among the direct " original rights of man in civil ſociety." This is evidently denying the exiſtence of what has been called *political*, in contradiſtinction to *civil* liberty.

Conſtitution

Conſtitution is, muſt be on this ſyſtem immaterial. The King of France it does not, indeed, permit to put out the eyes of the Princes of the Blood, nor the Sophi of Perſia to have recourſe to *lettres de cachet*. They muſt tyrannize by precedent, and oppreſs in reverent imitation of the models conſecrated by the uſage of deſpotic predeceſſors. But if they adhere to theſe, there is no remedy for the oppreſſed, ſince an appeal to the rights of Nature were treaſon againſt the principles of the ſocial union. If, indeed, any offence againſt *precedent*, in the kind or degree of oppreſſion, be committed, this theory may (though moſt inconſiſtently) permit reſiſtance. But as long as the *forms* of any Government are preſerved, it poſſeſſes, in a view of *juſtice*, (whatever be its nature) equal claims to obedience. This inference is irreſiſtible, and it is *thus* evident, that the doctrines of Mr. Burke are doubly refuted by the fallacy of the logic which ſupports them,

and the abſurdity of the concluſions to which they lead.

They are alſo virtually contradicted by the laws of all nations. Were his opinions true, the language of laws ſhould be *permiſſive*, not *reſtrictive*. Had men ſurrendered all their rights into the hands of the Magiſtrate, the object of laws ſhould have been to announce the portion he was pleaſed to return them, not the part of which he is compelled to deprive them. The criminal code of all nations conſiſts of *prohibitions*, and whatever is not prohibited by the law, men every where conceive themſelves entitled to do with impunity. They act on the principle which this language of law teaches them, that they retain rights which no power can impair or infringe, which are not the boon of ſociety, but the attribute of their nature. The rights of magiſtrates and public officers are truly the creatures of Society. They, therefore, are guided

guided not by what the law does not *prohibit*, but by what it authorizes or enjoins. Were the rights of citizens equally created by ſocial inſtitution, the language of the civil code would be ſimilar, and the obedience of ſubjects would have the ſame limits.

This doctrine, thus falſe in its principles, abſurd in its concluſions, and contradicted by the avowed ſenſe of mankind, is even abandoned by Mr. Burke himſelf. He is betrayed into a confeſſion directly repugnant to his general principle.—"Whatever each man can "do without treſpaſſing on others, he has a "RIGHT to do for himſelf, and he has a "RIGHT to a *fair portion* of ALL that ſo- "ciety, with all its combinations of ſkill and "force can do for him." Either this right is univerſal, or it is not. If it be univerſal, it cannot be the offſpring of convention, for conventions muſt be as various as forms of Government, and there are many of them

which do not recognize this right, nor place man in this condition of juſt equality. All Governments, for example, which tolerate ſlavery neglect this right; for a ſlave is neither entitled to the fruits of his own induſtry, nor to any portion of what the combined force and ſkill of ſociety produce. If it be not univerſal, it is no right at all, and it can only be called a *privilege* accorded by ſome Governments, and with-held by others. I can diſcern no mode of eſcaping from this dilemma, but the avowal that theſe civil claims are the remnant of thoſe *metaphyſic* rights which Mr. Burke holds in ſuch abhorrence, but which it ſeems the more natural object of ſociety to protect than deſtroy.

But it may be urged, that though all appeals to the natural rights of men be not precluded by the ſocial compact, though their integrity and perfection in the civil ſtate may *theoretically* be admitted, yet as men unqueſtionably may

may refrain from the exerciſe of their rights, if they think their exertion unwiſe; and as Government is not a ſcientific ſubtlety, but a *practical* expedient for general good, all recourſe to theſe elaborate abſtractions is frivolous and futile, and the grand queſtion in Government is not its ſource, but its tendency; not a queſtion of right, but a conſideration of expediency. Political forms, it may be added, are only the *means* of enſuring a certain portion of public felicity. If the *end* be confeſſedly obtained, all diſcuſſion of the theoretical aptitude of the *means* to produce it is nugatory and redundant.

To this I anſwer, *firſt*, that ſuch reaſoning will prove too much, and that, taken in its proper extent, it impeaches the great ſyſtem of morals, of which political principles form only a part. All morality is, no doubt, founded on a broad and general expediency—"*Ipſa* "*utilitas juſti prope mater & equi*," may be

 ſafely

ſafely adopted, without the reſerve dictated by the timid and inconſtant philoſophy of the Poet. Juſtice is expediency, but it is expediency, ſpeaking by general maxims, into which reaſon has concentrated the experience of mankind. Every general principle of juſtice is demonſtrably expedient, and it is this utility alone that confers on it a moral obligation. But it would be fatal to the exiſtence of morality, if the utility of every *particular act* were to be the ſubject of deliberation in the mind of every moral agent. A general moral maxim is to be obeyed, even if the inutility is evident, becauſe the precedent of deviating more than balances any utility that may exiſt in the particular deviation. Political firſt principles are of this deſcription. They are only moral principles adapted to the civil union of men. When I aſſert that a man has a right to life, liberty, &c. I only mean to enunciate a MORAL MAXIM founded on *general intereſt*, which prohibits any attack on theſe poſſeſſions.

poſſeſſions. In this primary and radical ſenſe, all rights, natural as well as civil, ariſe from expediency. But the moment the moral edifice is reared, its baſis is hid from the eye for ever. The moment theſe maxims, which are founded on an utility that is paramount and perpetual, are embodied and conſecrated, they ceaſe to yield to partial and ſubordinate expediency. It then becomes the perfection of virtue to conſider, not whether an action be uſeful, but whether it be right.

The ſame neceſſity for the ſubſtitution of general maxims exiſts in politics as in morals. Theſe preciſe and inflexible principles, which yield neither to the ſeductions of paſſion, nor the ſuggeſtions of intereſt, ought to be the guide of Public as well as private morals.—Acting according to the natural rights of men, is only another expreſſion for acting according to thoſe GENERAL MAXIMS of *ſocial morals* which preſcribe what is *right and fit* in human intercourſe.

intercourſe. We have proved that the ſocial compact does not alter theſe maxims, or deſtroy theſe rights, and it inconteſtibly follows, from the ſame principles which guide all morality, that no expediency can juſtify their infraction.

The inflexibility of general principles is, indeed, perhaps more neceſſary in political morals than in any other claſs of actions. If the conſideration of expediency be admitted, the queſtion recurs, who are to judge of it? They are never the *many* whoſe intereſt is at ſtake: They cannot judge, and no appeal to them is hazarded. They are the *few*, whoſe intereſt is linked to the perpetuity of oppreſſion and abuſe. Surely that Judge ought to be bound down by the ſtricteſt rules, who is undeniably intereſted in the deciſion; and he would ſcarcely be eſteemed a wiſe Legiſlator who ſhould veſt in the next heir to a lunatic a diſcretionary power to judge of his ſanity or derangement.

derangement. Far more neceſſary then is the obedience to general principles, and the maintenance of natural rights, in politics than in the morality of common life. The moment that the ſlendereſt infraction of theſe rights is permitted for motives of *convenience*, the bulwark of all upright politics is loſt. If a ſmall convenience will juſtify a little infraction, a greater pretended convenience will expiate a bolder violation. The Rubicon is paſt. Tyrants never ſeek in vain for ſophiſts. Pretences are multiplied without difficulty and without end. Nothing, therefore, but an inflexible adherence to the principles of general right can preſerve the purity, conſiſtency, and ſtability of a free State.

We have thus vindicated the firſt theoretical principle of French legiſlation. The doctrine of an abſolute ſurrender of natural rights by civil and ſocial man, has appeared to be deduced from inadequate premiſes; and

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to conduct to abſurd concluſions, to ſanctify the moſt atrocious deſpotiſm, to outrage the moſt avowed convictions of men, and, finally, to be abandoned, as hopeleſſly untenable, by its author. The exiſtence and perfection of theſe rights being proved, the firſt duty of law-givers and magiſtrates is to aſſert and protect them. Moſt wiſely and auſpiciouſly then did France commence her regenerating labours with a ſolemn declaration of theſe ſacred, inalienable, and impreſcriptible rights—a declaration which muſt be to the citizen the monitor of his duties as well as the oracle of his rights, by a perpetual recurrence to which the deviations of the magiſtrate are to be checked, the tendency of power to abuſe corrected, and every political propoſition (being compared with the *end* of ſociety) correctly and diſpaſſionately eſtimated. Theſe declarations of the rights of men originated from the juvenile vigor of reaſon and freedom in the new world, where the human mind was unincumbered

incumbered with that vaſt maſs of uſage and prejudice, which ſo many ages of ignorance had accumulated, to load and deform ſociety in Europe. France learned this, among other leſſons, from America; and it is perhaps the only expedient that can be deviſed by human wiſdom to keep alive the Public vigilance againſt the uſurpation of partial intereſts, by perpetually preſenting the general right and the general intereſt to the Public eye. Thus far I truſt will be found correct the ſcientific principle which has been the Polar Star, by the light of which the National Aſſembly of France has hitherto navigated the veſſel of the State amid ſo many tempeſts howling deſtruction around them on every ſide.

There remains a much more extenſive and complicated enquiry, the conſideration of their political inſtitutions. As it is impoſſible to examine all, we muſt limit our remarks to the

the moſt important. To ſpeak then generally of their Conſtitution, it is a preliminary remark, that the application of the word DEMOCRACY to it is fallacious and illuſive.—If that word, indeed, be taken in its *etymological ſenſe*, as the power of the people, it is a Democracy, and ſo is all legitimate Government. But if it be taken in its hiſtorical ſenſe, it is not ſo, for it does not reſemble thoſe Governments which have been called Democracies in ancient or modern times. In the ancient Democracies there was neither repreſentation nor diviſion of powers. The rabble legiſlated, judged and exerciſed every political authority. I do not mean to deny that in Athens, the Democracy of which hiſtory has tranſmitted to us the moſt monuments, there did exiſt ſome feeble controls. But it has been well remarked, that a multitude, if it was compoſed of NEWTONS, muſt be a mob. Their will muſt be equally unwiſe, unjuſt, and irreſiſtable. The authority of a corrupt and

tumultuous

tumultuous populace has indeed by the beſt writers of antiquity been regarded rather as an ochlocracy than a democracy, as the deſpotiſm of the rabble, not the dominion of the people. It is a degenerate democracy. It is a febrile paroxyſm of the ſocial body which muſt ſpeedily terminate in convaleſcence or diſſolution.

The new conſtitution of France is almoſt directly the reverſe of theſe forms. It veſts the legiſlative authority in the Repreſentatives of the people, the executive in an hereditary Firſt Magiſtrate, and the judicial in Judges, periodically elected, unconnected either with the Legiſlature or with the executive Magiſtrate. To confound ſuch a conſtitution with the democracies of antiquity, for the purpoſe of quoting hiſtorical and experimental evidence againſt it, is to recur to the moſt paltry and ſhallow arts of ſophiſtry.—In diſcuſſing it, on the preſent occaſion, the

firſt queſtion that ariſes regards the mode of conſtituting the Legiſlature, and the firſt diviſion of this queſtion, which conſiders the right of ſuffrage, is of primary importance in Commonwealths. Here I moſt cordially agree with Mr. Burke* in reprobating the impotent and prepoſterous qualification by which the Aſſembly have *diſfranchiſed* every citizen who does not pay a direct contribution equivalent to the price of three days labour. Nothing can be more evident than its inefficacy for any purpoſe but the diſplay of inconſiſtency, and the violation of juſtice.—But theſe remarks were made at the moment of diſcuſſion in France, and the plan † was combated in the Aſſembly with all the force of reaſon and elo-

* P. 257—8.

† For the hiſtory of this decree, the 27th and 29th days of October, 1789, ſee the *Procès verbaux* of theſe days.—See alſo the *Journal de Paris*, No. 301, & *Les Revolutions de Paris*, No. 17, p. 73, *& ſeq.* Theſe authorities amply corroborate the aſſertions of the text.

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quence by the moſt conſpicuous leaders of the popular party. M. M. Mirabeau, Target, and Petion more particularly diſtinguiſhed themſelves by their oppoſition. But the more timid and prejudiced members of the democratic party ſhrunk from ſo bold an innovation in political ſyſtems, as JUSTICE. They fluctuated between their principles and their prejudices, and the ſtruggle terminated in an illuſive compromiſe, the conſtant reſource of feeble and temporizing characters. They were content that *little* practical evil ſhould in fact be produced.—Their views were not ſufficiently enlarged and exalted to perceive, that the INVIOLABILITY of PRINCIPLES is the *Palladium* of virtue and of freedom. The members of this deſcription do not, indeed, form the majority of their party; but the Ariſtocratic minority, anxious for whatever might diſhonour or embarraſs the Aſſembly, eagerly coaleſced with them, and ſtained the infant Conſtitution with this abſurd uſurpation.

An enlightened and reſpectable antagoniſt of Mr. Burke has attempted the defence of this meaſure. In a letter to *Earl Stanhope*, p. 78—9, it is contended, that the ſpirit of this regulation accords exactly with the principles of natural juſtice, becauſe, even in an unſocial ſtate, the *pauper* has a claim only on charity, and he who produces nothing has no right to ſhare in the regulation of what is produced by the induſtry of others. But whatever be the juſtice of disfranchiſing the unproductive poor, the argument is, in point of fact, totally miſapplied. Domeſtic ſervants are excluded by the decree of the Aſſembly, though they ſubſiſt as evidently on the produce of their own labour as any other claſs of men in ſociety; and to them therefore the argument of our acute and ingenious writer is totally inapplicable *. But it is the conſola-

* It has been very juſtly remarked, that even on the idea of *taxation*, all men have equal rights of election. For the man who is too poor to pay a direct contribution to the State, ſtill

tion of the conſiſtent friends of freedom, that this abuſe muſt be ſhort-lived. The ſpirit of reaſon and liberty, which has atchieved ſuch mighty victories, cannot long be reſiſted by this puny foe. The number of primary electors is at preſent ſo great, and the importance of their ſingle votes ſo proportionally little, that their intereſt in reſiſting the extenſion of the right of ſuffrage is inſignificantly ſmall. Thus much have I ſpoken of the monopoly of the rights of ſuffrage with the ardor of anxious affection, and the freedom of liberal admiration. The moment is too ſerious for compliment, and I leave untouched to the partizans of deſpotiſm, their monopoly of blind and ſervile applauſe,

ſtill pays a tax in the increaſed *view*, of his food and cloaths. It is beſides to be obſerved, that life and liberty are more ſacred than property, and that the right of ſuffrage is the only ſhield that can guard them.

I muſt avow, with the ſame frankneſs, equal diſapprobation of the elements of territory and contribution which enter into the proportion of Repreſentatives deputed by the various portions of the kingdom. Territorial or financial repreſentation *, is a monſtrous relic of ancient prejudice. Land or money cannot be repreſented. Men only *can* be repreſented, and population alone ought to regulate the number of Repreſentatives which any diſtrict delegates.

* Monteſquieu, I think, mentions a federative Republic in *Lycia*, where the proportion of Repreſentatives deputed by each State was in a *ratio* compounded of its population and contribution. There might be ſome plauſibility in this inſtitution among confederated independent States, but it is groſsly abſurd in a Commonwealth, which is *vitally* ONE. In ſuch a ſtate, the contribution of all being proportioned to their capacity, it is *relatively* to the contributors EQUAL, and if it can confer any political claims, they muſt derive from it *equal* rights.

The next conſideration that preſents itſelf is, the nature of thoſe bodies into which the citizens of France are to be organized for the performance of their political functions.—In this important part of the ſubject, Mr. Burke has committed ſome fundamental errors. It is more amply, more dexterouſly, and more correctly treated by Ch. de Calonne, of whoſe work this diſcuſſion forms the moſt intereſting part.

The Aſſemblies, into which the people of France are divided, are of *four* kinds.—Primary, Municipal, Electoral, and Adminiſtrative.

To the *Municipalities* belong the care of preſerving the police, and collecting the revenue within their juriſdiction. An accurate idea of their nature and object may be formed by ſuppoſing the *country* of England uniformly

divided, and governed, like its cities and towns by magiſtracies and popular election.

The Primary Aſſemblies, the firſt elements of the Commonwealth, are formed by all the citizens, who pay a direct contribution, equal to the price of three days labour, which may be averaged at half a crown Engliſh. Their functions are purely electoral. They ſend Repreſentatives *directly* to the Aſſembly of the *Department*, in the proportion of one to every hundred active citizens. This they do not through the *medium* of the diſtrict, as was originally propoſed by the Conſtitutional Committee, and has been erroneouſly ſtated by Mr. Burke. They ſend, indeed, Repreſentatives to the Aſſembly of the diſtrict, but it is the object of that Aſſembly not to depute electors to the department, but to elect the adminiſtrators of the diſtrict itſelf.

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The Electoral Aſſemblies of the *Departments*, formed by the immediate delegates of the people in their primary Aſſemblies, elect the Members of the Legiſlature, the Judges, the Adminiſtrators, and the * Biſhop of the Department.

The *Adminiſtrators* are every where the organs and inſtruments of the Executive Power. As the provinces of France, under her ancient Government were ruled by Governors, Intendants, &c. appointed by the Crown, ſo they are now governed by theſe adminiſtrative bodies, who are choſen by the Electoral Aſſemblies of the Departments.

Such is the rude outline of that elaborate organization, which the French Legiſlature have formed. Details are not neceſſary to my purpoſe; and I the more chearfully abſtain from

* Every Department is an Epiſcopal See.

them, becauſe I know that they will be ſpeedily laid before the Public by a perſon far more competent to deliver them with preciſion, and illuſtrated with a very correct and ingenious chart of the New Conſtitution of France.

Againſt the arrangement of theſe Aſſemblies, many ſubtle and ſpecious objections are urged, both by Mr. Burke and the exiled Miniſter of France. The firſt and moſt formidable is, "the ſuppoſed tendency of it to "diſmember France into a body of confede-"rated Republics." To this objection there are ſeveral unanſwerable replies. But before I ſtate them, it is neceſſary to make one diſtinction. Theſe ſeveral bodies are, in a certain ſenſe independent, in what regards ſubordinate and interior regulation. But they are not independent in the ſenſe which the objection ſuppoſes, that of poſſeſſing a ſeparate will from that of the nation, or influencing, but by their Repreſentatives, the general ſyſ-

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tem of the State. Nay, it may be demonſtrated, that the Legiſlators of France have ſolicitouſly provided more elaborate precautions againſt this diſmemberment than have been adopted by any recorded Government.

The firſt circumſtance which is adverſe to it is the *minuteneſs of the parts* into which the kingdom is divided. They are too ſmall to poſſeſs a ſeparate force. As elements of the ſocial order, as particles of a great political body, they are ſomething; but as inſulated States, they would be impotent. Had France been moulded into great maſſes, each of them might have been ſtrong enough to claim a ſeparate will; but divided as ſhe is, no body of citizens is conſcious of ſufficient ſtrength to feel their ſentiments of any importance, but as conſtituent parts of the general will. Survey the Adminiſtrative, the Primary, and the Electoral Aſſemblies, and nothing will be more evident than their impotence in indi-

viduality.

viduality. The Municipalities, ſurely, are not likely to arrogate independence. A 48oooth part of the kingdom has not energy ſufficient for ſeparate exiſtence, nor can a hope ariſe in the Aſſembly of ſuch a ſlender community influencing, in a direct and dictatorial manner, the counſels of a great State. Even the Electoral Aſſemblies of the Departments do not, as we ſhall afterwards ſhew, poſſeſs force enough to become independent confederated Republics.

Another circumſtance, powerfully hoſtile to this diſmemberment, is the deſtruction of the ancient provincial diviſion of the kingdom. In no part of Mr. Burke's work have his arguments been choſen with ſuch infelicity of ſelection as in what regards this ſubject. He has not only erred, but his error is the preciſe reverſe of truth. He repreſents as the harbinger of diſcord what is, in fact, the inſtrument of union. He miſtakes the cement

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of the edifice for a ſource of inſtability and a principle of repulſion. France was, under the ancient Government, an union of Provinces acquired at various times, and on different conditions, differing in conſtitution, laws, language, manners, privileges, juriſdiction, and revenue. It had the exterior of a ſimple Monarchy, but it was in reality an aggregate of independent States. The Monarch was in one place King of Navarre, in another Duke of Britanny, in a third Count of Provence, in a fourth Dauphin of Vienne. Under theſe various denominations, he poſſeſſed, at leaſt nominally, different degrees of power, and he certainly exerciſed it under different forms.—The maſs compoſed of theſe heterogeneous and diſcordant elements, was held together by the compreſſing force of deſpotiſm. When that compreſſion was withdrawn, the provinces muſt have reſumed their ancient independence, perhaps in a form more abſolute than as members of a federative Repub-

lic.

lic. Every thing tended to inſpire *provincial*, and to extinguiſh *national* patriotiſm. The inhabitants of Bretagne, or Guienne, felt themſelves linked together by ancient habitudes, by congenial prejudices, by ſimilar manners, by the relics of their Conſtitution, and the common name of their country; but their character as members of the French Empire, could only remind them of long and ignominious ſubjection to a tyranny, of which they had only felt the ſtrength in exaction, and bleſſed the lenity in neglect. Theſe cauſes muſt have formed the provinces into independent Republics, and the deſtruction of their provincial exiſtence was indiſpenſible to the prevention of this diſmemberment. It is impoſſible to deny, that men united by no previous habitude (whatever may be ſaid of the policy of the union in other reſpects) are leſs qualified for that union of will and force, which produces an independent Republic, than provincials on whom every circumſtance

tended

tended to confer local and partial attraction, and a repulſion to the common center of the national ſyſtem. Nothing could have been more inevitable than the independence of thoſe great provinces which had never been moulded and organized into one Empire; and we may boldly pronounce, in direct oppoſition to Mr. Burke, that the new diviſion of the kingdom was the only expedient that could have prevented its diſmemberment into a confederacy of ſovereign Republics.

The ſolicitous and elaborate *diviſion of powers*, is another expedient of infallible operation, to preſerve the unity of the body politic. The *Municipalities* are limited to minute and local Adminiſtration. The *Primary Aſſemblies* ſolely to elections. The *Aſſemblies of the Diſtrict* to objects of adminiſtration and control of a ſuperior claſs; and the *Aſſemblies of the Departments*, where this may be the moſt apprehended, poſſeſs functions purely electoral.

electoral. They elect Judges, Legiſlators, Adminiſtrators, and Miniſters of Religion, but they are to exert no authority legiſlative, adminiſtrative, or judicial. In any other capacity but that of executing their electoral functions, in voting an addreſs, an inſtruction, or a cenſure, they are only ſimple citizens *.

But whatever danger might be apprehended from the aſſumption of powers by theſe for-

* Compare theſe remarks with the reaſoning of M. Calonne under the head, "*Que faut il penſer de l'etabliſſement perpetuel de 83 Aſſemblées, compoſées chacune de plus 600 citoyens, chargées de choix des Legiſlateurs Supremes, du choix des Adminiſtrateurs Provinciaux, du choix des Juges, du choix des Principaux Miniſtres du Culte, & ayant en conſequence le droit de ſe mettre en activité toutes fois & quantes?*" The objection which we are combating is ſtated with great preciſion by M. de Calonne, from p. 358 to p. 372 of his work. The diſcuſſion muſt be maturely weighed by every reader who would fathom the legiſlation of France.

midable

midable Aſſemblies, the depoſitaries of ſuch extenſive electoral powers are precluded by another circumſtance, which totally diſqualifies and unnerves them for any purpoſe but that for which they are created by the Conſtitution. They are *biennially* renewed, and their fugitive nature makes ſyſtematic uſurpation hopeleſs. What power, indeed, could they poſſeſs of dictating to the National Aſſembly*, or what intereſt could the members of that Aſsembly have in obeying the mandates of thoſe who held as fugitive and precarious a power as their own; not one of whom might, at the next election, have

* I do not mean that their voice will not be there reſpected. That would be to ſuppoſe the Legiſlature as inſolently corrupt as that of a neighbouring Government of pretended freedom. I only mean to aſſert, that they cannot poſſeſs ſuch a power as will enable them to dictate inſtructions to their Repreſentatives as authoritatively as Sovereigns do to their Embaſſadors; which is the idea of a confederated Republic.

a ſuffrage

a ſuffrage to beſtow? The ſame probability gives the provincial Adminiſtrators that portion of independence which the Conſtitution demands. By a ſtill ſtronger reaſon, the Judges, who are elected for ſix years, muſt feel themſelves independent of conſtituents whom *three* elections may ſo radically and completely change. Theſe circumſtances then, the minuteneſs of the diviſions, the diſſolution of provincial ties, the elaborate diſtribution of powers, and the fugitive conſtitution of the Electoral Aſſemblies ſeem to form an inſuperable barrier againſt the aſſumption of ſuch powers by any of the bodies into which France is organized, as would tend to produce the federal form. Thus the firſt great argument of Mr. BURKE and M. DE CALONNE ſeems to be refuted in *principles*, if not in the expanſion of detail.

The next objection that is to be conſidered is peculiar to Mr. Burke. The *ſubordination*

of elections has been regarded by the admirers of the French law-givers as a maſter-piece of legiſlative wiſdom. It ſeemed as great an improvement on repreſentative Government, as repreſentation itſelf was on pure Democracy. No extent of territory is too great for a popular Government thus organized; and as the Primary Aſſemblies may be divided to any degree of minuteneſs, the moſt perfect order is reconcileable with the wideſt diffuſion of political right. Democracies were ſuppoſed by philoſophers to be neceſſarily ſmall, and therefore feeble; to demand numerous Aſſemblies, and to be therefore venal and tumultuous. Yet this great diſcovery, which gives force and order in ſo high a degree to popular Governments, is condemned and derided by Mr. Burke. An *immediate* connexion between the repreſentative and the *primary* conſtituent, he conſiders as eſſential to the idea of repreſentation. As the electors in the Primary Aſſemblies do not immediately elect

their law-givers, he regards their rights of ſuffrage as nominal and illuſory *. It will in the firſt inſtance be remarked, from the ſtatement which has already been given, that in ſtating *three interpoſed elections* between the primary electors and the Legiſlature, Mr. Burke has committed a moſt important error in point of fact. The original plan of the Conſtitutional Committee was indeed agreeable to the ſtatement of Mr. Burke. The Primary Aſſemblies were to elect Deputies to the diſtrict, the diſtrict to the Department, and the Department to the National Aſſembly. But this plan was forcibly and ſucceſsfully combated. It was repreſented as tending to introduce a vicious complexity into the Government, and, by making the channel

* P. 270—2. "For what are theſe Primary Electors "complimented, or rather mocked with a choice?—They "can never know any thing of the qualities of him that "is to ſerve them, nor has he any obligation to ſerve "them."

through

through which the national will paſſes into its public acts ſo circuitous, to enfeeble its energy under pretence of breaking its violence. It was accordingly radically changed. The ſeries of three elections was ſtill preſerved for the choice of provincial Adminiſtrators, but the Electoral Aſſemblies in the *Departments*, who are the immediate conſtituents of the Legiſlature, are *directly* choſen by the *Primary Aſſemblies*, in the proportion of one elector to every hundred active citizens *.

* For a charge of ſuch fundamental inaccuracy againſt Mr. Burke, the Public will moſt juſtly and naturally expect the higheſt evidence. I do therefore boldly appeal to the *Decret ſur la Nouvelle Diviſion du Royaume, Art.* 17.—to the *Procès Verbal* of the Aſſembly for the 22d Dec. 1789. If this evidence demanded any collateral aid, the authority of M. *Calonne* (which it is remarkable that Mr. Burke ſhould have overlooked, corroborates it moſt amply. "On ordonne "que chacune de ces Aſſemblées (*Primaires*) nommera un "ELECTEUR a raiſon de 100 citoyens actifs."—Calonne, p. 360. "Ces cinquante mille ELECTEURS (*des Departe-*

"*ments*)

But to return to the general queſtion, which is perhaps not much affected by theſe details, I profeſs I ſee no reaſon why the right of election is not as ſuſceptible of delegation as any other civil function, why a citizen may not as well delegate the right of chooſing law-givers, as that of making laws. Such a gradation of elections, ſays Mr. Burke, excludes reſponſibility and ſubſtantial election, ſince the primary electors neither can know, nor bring to account the members of the Aſſembly.

This argument has (conſidering the peculiar ſyſtem of Mr. Burke) appeared to me to be the moſt ſingular and inconſiſtent that he has urged in his work. Repreſentation itſelf muſt be confeſſed to be an infringement on

" *ments*) choiſis de deux ans en deux ans parles ASSEM-" BLEES PRIMAIRES." Id. ibid. The Ex-Miniſter, indeed, is rarely to be detected in any departure from the ſolicitous accuracy of profeſſional detail.

the

the moſt perfect liberty, for the beſt organized ſyſtem cannot preclude the poſſibility of a variance between the *popular* and the *repreſentative* will. Reſponſibility, ſtrictly and rigorouſly ſpeaking, it can rarely admit, for the ſecrets of political fraud are ſo impenetrable, and the line which ſeparates corrupt deciſion from erroneous judgment ſo indiſcernibly minute, that the caſes where the Deputies could be made properly reſponſible are too few to be named as exceptions. Their *diſmiſſion* is all the puniſhment that can be inflicted, and all that the beſt Conſtitution can attain is a *high probability* of uniſon between the conſtituent and his deputy. This ſeems attained in the arrangements of France. The electors of the *Departements* are ſo numerous, and ſo popularly elected, that there is the higheſt *probability* of their being actuated in their elections, and *re-elections* by the ſentiments of the Primary Aſſemblies. They have too many points of contact with the ge-

neral maſs to have an inſulated opinion, and too fugitive an exiſtence to have a ſeparate intereſt. It is beſides to be remarked, that they come immediately from among the people, with all its opinions, and predilections, and enmities to their elective functions; and it is ſurely improbable, that, too ſhortly united for the acquiſition of a corporation ſpirit, they ſhould have any will or voice but that of their conſtituents. This is true of thoſe caſes where the merits or demerits of candidates may be ſuppoſed to have reached the Primary Aſſemblies. In thoſe far more numerous caſes, where they are too obſcure to obtain that notice, but by the polluted medium of a popular canvas, this delegation is ſtill more evidently wiſe. The peaſant, or artizan, who is a primary elector, knows intimately men among his equals, or *immediate* ſuperiors, who have information and honeſty enough to chuſe a good repreſentative. But among this claſs (the only one which he can know ſufficiently

to judge) he rarely meets with any who have genius, leiſure, and ambition for that ſituation themſelves. Of the candidates to be electors in the *Departement*, he is a diſintereſted, deliberate, and competent judge. But were "he to be complimented, or rather mocked," with the direct right of electing to the legiſlative body, he muſt, in the tumult, venality, and intoxication of an election mob, give his ſuffrage without any *poſſible* juſt knowledge of the ſituation, character, and conduct of the candidates. So unfortunately falſe, indeed, ſeems the opinion of Mr. Burke, that this arrangement in the French Conſtitution is the only one that ſubſtantially, and in good faith, provides for the exerciſe of deliberate diſcrimination in the conſtituent.

The *hierarchy* of elections was obtruded on France by neceſſity. Had they rejected it, they had only the alternative of tumultuous electoral Aſſemblies, or a tumultuous Legiſ-

lature.

lature. If the primary electoral Aſſemblies were to be ſo divided as to avoid tumult, their deputies would be ſo numerous as to make the National Aſſembly a mob. If the number of electoral Aſſemblies were reduced according to the number of deputies that ought to conſtitute the Legiſlature, each of them would be numerous enough, on the other hand, to be alſo a mob. I cannot perceive that peculiar unfitneſs which is hinted at by Mr. Burke* in the right of *perſonal* choice to be delegated. It is in the practice of all States delegated to great officers, who are entruſted with the power of nominating their ſubordinate agents. It is in the moſt ordinary affairs of common life delegated, when our *ultimate* repreſentatives are too remote from us to be within the ſphere of our obſervation.

* "Of all the powers to be delegated by thoſe who "have any real means of judging, that moſt peculiarly "unfit is what relates to a perſonal choice. Burke, p. 271.

It is remarkable that M. Calonne, addreſſing his work to a people enlightened by the maſterly diſcuſſions to which theſe ſubjects have given riſe, has not, in all the fervor of his zeal to criminate the new inſtitutions, hazarded this objection. This is not the only inſtance in which the Ex-Miniſter has ſhewn more reſpect to the nation whom he addreſſes, than Mr. Burke has paid to the intellect and information of the Engliſh Public *.

* Though it may, perhaps, be foreign to the purpoſe, I cannot help thinking one remark on this topic intereſting. It will illuſtrate the difference of opinion between even the Ariſtocratic party in France and the rulers of England.—M. Calonne * rightly ſtates it to be the *unanimous inſtruction* of France to her Repreſentatives, to enact the *equal* admiſſibility of ALL citizens to public employ!—England adheres to the Teſt Act!—The arrangements of M. Necker for elections to the States General, and the ſcheme of M. M. Mounier and Lally Tolendahl for the new Conſtitution, included a repreſentation of the people nearly exact. Yet the idea of it is regarded with horror in England!—The

* M. Calonne, p. 383.

higheſt

Thus much of the elements that are to generate the Legiſlative body. Concerning that body, thus conſtituted, various queſtions remain. Its *unity* or *diviſion* will admit of much diſpute, and it will be deemed of the greateſt moment by the zealous admirers of the Engliſh Conſtitution, to determine, whether any ſemblance of its legiſlative organization could have been attained by France, if good, or ought to have been purſued by her, if attainable. Nothing has been aſſerted with more confidence by Mr. Burke than the facility with which the fragments of the long ſubverted liberty of France might have been formed into a Britiſh Conſtitution *. But of

higheſt *Ariſtocrates* of France approach more nearly to the creed of general liberty than the moſt popular politicians of England, of which theſe two circumſtances are ſignal proofs.

* To place this opinion in a ſtronger point of light, I have collected the principal paſſages in which it is announced or inſinuated. "In your OLD STATES you poſſeſſed that "variety

this general poſition he has neither explained the mode, nor defined the limitations. No-

" variety of parts, correſponding with the various deſcrip-
" tions of which your community was happily compoſed."
Burke, p. 50. " If diffident of yourſelves, and not clearly the
" almoſt obliterated Conſtitution of your anceſtors, ſeeing
" you had looked to your neighbours in this land, who had
" kept alive the principles and models of the old common
" law of Europe, meliorated and adapted to the preſent
" ſtate." Id. p. 53. "Have they never heard of a Mo-
" narchy directed by laws, controled and balanced by the
" great hereditary wealth and hereditary dignity of a nation,
" and both again controled by a judicious check from the
" reaſon and feeling of the people at large, acting by a ſuitable
" and permanent organ?" Id. p. 184. And in the ſame page he repreſents France as a nation which had " it in its choice to
" obtain ſuch a Government with eaſe, or, *rather to confirm*
" *it when actually poſſeſſed.*"—" I muſt think ſuch a Go-
" vernment well deſerved to have its excellencies height-
" ened, its faults corrected, and its *capacities* improved into
" a Britiſh Conſtitution." Id. p. 295. The preciſe queſtion at iſſue is, whether the ancient Government of France poſſeſſed *capacities* which could have been improved into a Britiſh Conſtitution.

thing

thing is more favourable to the popularity of a work than theſe lofty generalities which are light enough to paſs into vulgar currency, and to become the maxims of a popular creed. Touched by definition, they become too ſimple and preciſe for eloquence, too cold and abſtract for popularity. But exhibited as they are by Mr. Burke, they gratify the pride and indolence of the people, who are thus taught to ſpeak what gains applauſe, without any effort of intellect, and impoſes ſilence, without any labour of confutation; what may be acquired without being ſtudied, and uttered without being underſtood. Of this nature are theſe vague and confident aſſertions, which without furniſhing any definite idea, afford a ready jargon for vulgar prejudice, flattering to national vanity, and ſanctioned by a diſtinguiſhed name. It is neceſſary to enquire with more preciſion in what manner France could have aſſimilated the remains of her ancient Conſtitution to that of the Engliſh Legiſla-

ture.

ture. Three modes only ſeem conceivable. The preſervation of the *three* Orders diſtinct. The union of the Clergy and Nobility in one upper Chamber, or ſome mode of ſelecting from theſe two Orders a body like the Houſe of Lords in England. Unleſs the inſinuations of Mr. Burke point to one or other of theſe ſchemes, I cannot divine their meaning. The firſt mode (the three Orders ſitting in ſeparate houſes with equal privileges) would neither have been congenial in ſpirit nor ſimilar in form to the Conſtitution of England. To convert the Convocation into an integrant and co-ordinant Member of our Legiſlature, would give it ſome ſemblance of this ſtructure. But it would be a faint one. It would be neceſſary to arm our Clergy with an immenſe maſs of property, rendered ſtill more formidable by the concentration of great portions in the hands of a few, to conſtitute it in effect the ſame body with the Nobility, by granting them the monopoly of great benefices,

fices, and to beſtow on this clercio-military ariſtocracy, in its two ſhapes of Prieſthood and Nobility, *two* ſeparate and independent voices in Legiſlation. This double body from its neceſſary dependance on the King, muſt neceſſarily have in both forms become the organ of his voice. The Monarch would thus poſſeſs *three* negatives, *one* avowed and diſuſed, two latent and in perpetual activity on the *ſingle* voice which impotent and illuſive formality had yielded to the Third Eſtate. Such and much more muſt the Parliament of England become before it could in any reſpect reſemble the diviſion of the French Legiſlature according to thoſe ancient Orders which formed the Gothic aſſemblies of Europe. So monſtrous did the arrangement appear, that even under the reign of Deſpotiſm, the ſecond plan was propoſed by M. Calonne*—that the

* See his Lettre au Roi 9th February 1789. See alſo Sur l'Etat de France, &c. p. 167. It was alſo, as we are informed by M. Calonne, ſuggeſted in the *Cahiers* of the Nobility

Clergy and Nobility ſhould form an Upper Houſe to exerciſe conjointly with the King and the Commons the Legiſlative Authority. It admits however of the cleareſt proof that ſuch a Conſtitution would have been diametrically oppoſite in its ſpirit and principles to the Engliſh Government. This will at once be evident from the different deſcription of the body of Nobles in France and England. In England they are a ſmall body, united to the maſs of the people by innumerable points of contact, receiving from it perpetual new infuſions, and returning to it, undiſtinguiſhed and unprivileged, the majority of their children. In France they formed an immenſe inſulated *caſt*, ſeparated from ſociety by every barrier

bility of *Metz* and *Montargis*. It is worthy of incidental remark, that the propoſition of ſuch radical changes even by the Nobility is an inconteſtible evidence of the general conviction that a revolution or total change to the Government was neceſſary. It is therefore an unanſwerable reply to Mr. Burke and Mr. Calonne.

that

that prejudice or policy could raiſe, receiving few plebeian acceſſions, and precluded, by the indelible character of nobility, the equal patrimony of all their children, from the poſſibility of their moſt remote deſcendants being reſtored to the general maſs. The Nobles of England are a *Senate* of 200. The Nobleſſe of France were a *tribe* of 200,000. Nobility is in England only hereditary, ſo far as its profeſsed object, the ſupport of a hereditary Senate demands. It is therefore deſcendible only to one heir. Nobility in France was as widely inheritable as its real purpoſe, the maintenance of a privileged *caſt*, preſcribed. It was therefore neceſsarily deſcendible to all male children.

There are other points of contraſt ſtill more important. The Nobleſſe of France were at once *formidable* from their immenſe body of *property*, and *dependent* from the indigence of their Patrician rabble of *cadets*, whom honour inſpired with ſervility, and ſervility excluded from

from the path to independence. They in fact poſſeſſed ſo large a portion of the landed property, as to be juſtly, and almoſt excluſively conſidered as the landed intereſt of the kingdom. To this formidable property was added the revenues of the Church, monopolized by their children. The younger branches of theſe opulent families had in general no patrimony but their honours and their ſword. They were therefore reduced to ſeek fortune and diſtinction in military dependence on the Crown. If they were generous, the habits of military ſervice devoted them from loyalty. If they were prudent, the hope of military promotion devoted them from intereſt to the King.—How immenſe therefore and irreſiſtible would the Royal influence have been, in elections, where the majority of the voters were the ſervants and creatures of the Crown? What would be thought in England of a Houſe of Lords, which, while it repreſented or contained the whole landed intereſt of the king-

dom, ſhould neceſsarily have a majority of its members ſeptennially or triennially *nominated* by the King. Yet it would ſtill yield to the French Upper Houſe of M. *Calonne*; for the monied and commercial intereſts of England, which would continue to be repreſented by the Commons, are important and formidable, but in France they are comparatively inſignificant. It would have been a Government where the Ariſtocracy could have been ſtrong only againſt the people, impotent againſt the Crown. This ſecond arrangement then is equally repugnant to the *theory* of the Britiſh Conſtitution as the firſt. There remains only ſome mode of ſelection of a body from amidſt the Nobility and Clergy to form an Upper Houſe, and to this there are inſuperable objections. Had the right of thus forming a branch of the Legiſlature by a *ſingle* act of prerogative been given to the King, it muſt have ſtrengthened his influence to a degree terrible at any period, but fatal in the moment

of political reform. Had any mode of election by the provinces, or the Legiſlature, been adopted, or if they had been veſted with any control on the nomination of the Crown, the new dignity would have been ſought with an activity of corruption and intrigue, of which, in ſuch a national convulſion, it is impoſſible to eſtimate the danger. No general principle of ſelection, ſuch as that of *opulence* or *antiquity*, would have remedied the evil, for the excluded and *degraded* Nobles would feel the principle, that nobility is the equal and inalienable patrimony of all. By the abolition of nobility, no nobleman was *degraded*, for to degrade is to lower from a rank that continues to exiſt in Society. No man can be *degraded* when the *rank* he poſſeſſed no longer exiſts. But had the rank of nobility remained in the mode of which we have been ſpeaking, the great body of the Nobles would indeed, in a proper and *penal* ſenſe, have been degraded. the new dignity of their former Peers would

have kept alive the memory of what they once poſſeſſed, and provoked them to enterprizes far more fatal than reſentment of an indignity that is at leaſt broken by diviſion, and impartially inflicted on the greateſt and moſt obſcure.

So evident indeed was the impoſſibility of what Mr. Burke ſuppoſes attainable with ſuch eaſe, that no party in the Aſsembly ſuggeſted the imitation of the Engliſh model. The ſyſtem of his oracles in French politics *, M. M. Lally and Mounier approached more near to the Conſtitution of the American States. They propoſed a Senate to be choſen for life by the King, from a certain number

* " De quelle manière ſera compoſe le Senat? Sera-t-il " formé de ce qu'on appelle aujourd'hui la Nobleſſe & le " Clergé? NON SANS DOUTE. Ce ſeroit perpetuer cette " ſeparation d'Ordres, cette eſprit de corporation qui eſt le " plus grand ennemi de l'eſprit Public." *Pièces Juſtificatifs* de M. Lally Tolendahl, p. 121.

of

of candidates to be offered to his choice by the provinces *. This Senate was to enjoy an abſolute negative on legiſlative acts, and to form the great national court for the trial of Public delinquents. In effect, ſuch a body would have formed a far more vigorous Ariſtocracy than the Engliſh Peerage. The latter body only preſerves its dignity by a wiſe diſuſe of its power. *Potentia ad impotentiam abuſi* would otherwiſe be deſcriptive of their fate. But the Senate of M. Mounier would be an Ariſtocracy moderated and legalized, which, becauſe it *appeared* to have leſs independence, would in fact be emboldened to exert more. Deriving their rights equally with the Lower Houſe from the people, and veſted with a

* " Après avoir examiné & balancé tous les inconveniens " de chaque parti peut-être trouvera-t-on que faire nommer " les Senateurs par le Roi, ſur la preſentation des pro- " vinces, & ne les faire nommer qu'à vie ſeroit encore le " moyen le plus propre à concilier tous les interêts." Id. p. 124.

more dignified and extenſive truſt, they would neither ſhrink from the conflict with the Commons nor the King. The permanence of their authority muſt give them a ſuperiority over the former. The ſpeciouſneſs of their cauſe over the latter; and it ſeems probable, that they muſt have terminated in ſubjugating both. Thoſe who ſuppoſe that a Senate for life might not be infected by the corporation ſpirit, may conſider the ancient judicatures of France, who were as keenly actuated by that ſpirit as any body of hereditary Nobles that ever exiſted.

But to quit the details of theſe ſyſtems—a queſtion ariſes for our conſideration of a more general and more difficult nature—*Whether a ſimple repreſentative Legiſlature, or a Conſtitution of mutual control, be the beſt form of Government* ?*—To examine this queſtion at

* This queſtion, tranſlated into familiar language, may perhaps be thus expreſſed,—"*Whether the vigilance of the maſter,*

length is inconſiſtent with the object and limits of the preſent publication (which already grows inſenſibly beyond its intended ſize) but a few general principles may be hinted, on which the deciſion of the queſtion perhaps chiefly depends.

1. It will not be controverted, that the object of a repreſentative Legiſlature is to collect the general will. To accord with this principle, there muſt be the ſame unity in the *repreſentative* as in the *original* WILL.—That will is ONE. It cannot therefore, without ſoleciſm, be *doubly* repreſented. The ſocial body ſuppoſes a perfect unity, and no man's will can have TWO diſcordant organs. Any *abſolute* * negative oppoſed to the national

maſter, or the ſquabbles of the ſervants, *be the beſt ſecurity for faithful ſervice?*

* The *ſuſpenſive veto* veſted in the French King is only an appeal to the people on the conduct of their Repreſentatives. The voice of the people clearly ſpoken, the negative ceaſes.

will, deciſively ſpoken by its Repreſentatives, is radically null, as an uſurpation of popular ſovereignty. Thus far does the abſtract principle of a Repreſentative Government condemn the diviſion of the Legiſlature.

2. All bodies poſſeſſed of effectual control have a tendency to that great evil, which all laws have hitherto foſtered, though it be the end of legiſlation to repreſs, the preponderance of partial intereſts. The ſpirit of corporation infallibly ſeizes every Public body, and the creation of every new aſſembly creates a new, dextrous, and vigilant enemy to the general intereſt. This alone is a ſufficient objection to a controling Senate. Such a body would be moſt peculiary acceſſible to this contagious ſpirit. A repreſentative body itſelf can only be preſerved from it by thoſe frequent elections which break combinations, and infuſe into it new portions of popular ſentiments. Let us grant that a popular aſſembly

may

may ſometimes be precipitated into unwiſe deciſion by the ſeductions of eloquence, or the rage of faction. Let us grant that a controling Senate might remedy this evil, but let us recollect, that it is better the *Public intereſt ſhould be occaſionally miſtaken than ſyſtematically oppoſed.*

3. It is perhaps ſuſceptible of proof, that theſe Governments of balance and control have never exiſted but in the viſion of theoriſts. The faireſt example will be the Conſtitution of England. If it can be proved that the two members of the Legiſlature, who are pretended to control each other, are ruled by the ſame *claſs* of men, the control muſt be granted to be imaginary. That oppoſition of intereſt, which is ſuppoſed to preclude all conſpiracy againſt the people, can no longer exiſt. That this is the ſtate of England, the moſt ſuperficial obſervation muſt evince. The great proprietors, titled and untitled, poſſeſs the

the whole force of both Houſes of Parliament that is not immediately dependent on the Crown. The Peers have a great influence in the Houſe of Commons. All political parties are formed by a confederacy of the members of both Houſes. The Court party, by the influence of the Crown, acting equally in both, ſupported by a part of the independent Ariſtocracy. The Oppoſition by the remainder of the Ariſtocracy, whether Commoners or Lords. Here is every ſymptom of colluſion: No veſtige of control. The only caſe, indeed, where it could ariſe, is where the intereſt of the Peerage is diſtinct from that of the other great proprietors. But theſe ſeparate intereſts are few and paltry, and have eſtabliſhed ſo feeble a check, that the hiſtory of England will not afford one undiſputed example of pretended control.

The rejection of the Peerage Bill of George the Firſt is urged with great triumph by De Lolme.

Lolme. There it ſeems the Commons rejected the bill, purely actuated by their fears, that the Ariſtocracy would acquire a ſtrength from a limitation on the number of Peers, deſtructive of that balance of power which forms the Conſtitution. It is unfortunate that political theoriſts do not conſult the *hiſtory* as well as the *letter* of legiſlative proceedings. It is a matter of perfect notoriety, that the rejection of that bill was occaſioned by the ſeceſſion of Sir Robert (then Mr.) Walpole from the Cabinet, and the oppoſition of him and his party to it was *merely* as a miniſterial meaſure. The debate was not guided by any general legiſlative principles. It was ſimply an experiment on the ſtrength of two parties contending for power. The reader will, no doubt, feel a high reverence for the Conſtitutional principles of that Parliament, when he is informed that to it we owe the *Septennial Act!*

In fact, if ſuch a check exiſted in much greater force, it would be of little importance to the general queſtion. "Through a diverſity of members and intereſts," if we may believe Mr. Burke, "GENERAL LIBERTY "had as many ſecurities as there were ſepa-"rate views in the ſeveral Orders." And if by GENERAL LIBERTY be underſtood that of the collective body of theſe Orders, the poſition is undeniable, But if it means what it ought to mean, the liberty of mankind, nothing can be more falſe. The higher claſs in ſociety, whatever be their names, of Nobles, Biſhops, Judges, or poſſeſſors of landed and commercial wealth, have ever been united by a common view, far more powerful than thoſe petty repugnancies of intereſt to which this variety of deſcription may give riſe. Whatever may be the little conflicts of eccleſiaſtical with ſecular, of commercial with landed opulence, they have one common intereſt to preſerve

ſerve the elevated place to which the ſocial order has raiſed them. There never was, or will be, in civilized ſociety, but two grand intereſts, that of the RICH and that of the POOR. The differences of intereſt among the ſeveral claſſes of the rich will be ever too ſlender to preclude their conſpiracy againſt mankind. In the mean time, the privileges of their ſeveral ORDERS will be guarded, and Mr. Burke will decide that GENERAL LIBERTY is ſecure!— It is thus that a Poliſh Palatine harangues in the Diet on the liberty of Poland, without a bluſh at the recollection of his bondſmen.— It is thus that the Aſſembly of Jamaica, amid the ſlavery and ſale of MEN, profanely appeal to the principles of freedom. It is thus that Antiquity, with her pretended political philoſophy, cannot boaſt one philoſopher who queſtioned the juſtice of ſervitude, nor with all her pretended Public virtue, one philanthropiſt who deplored the miſery of ſlaves.

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One circumſtance more remains concerning the Legiſlature—the excluſion of the King's Miniſters from ſeats in it. This *ſelf-denying Ordinance* I muſt unequivocally diſapprove.—I regard all *diſfranchiſement* as equally unjuſt in its principle, deſtructive in its example, and impotent for its pretended purpoſe. The preſence of Miniſters in the Aſſembly would have been of great utility in a view of buſineſs, and perhaps, by giving publicity to their opinions, favourable on the whole to Public Liberty. To exclude them from the Legiſlature, is to devote them to the purpoſes of the Crown, by giving them no *intereſt* in the Conſtitution. The fair and open influence of Miniſters was never formidable. It is only that indirect and ſecret influence which this excluſion will perhaps enable them to practiſe with more impunity and ſucceſs. It is alſo to be obſerved, that it is equivalent to an excluſion of all men of ſuperior talent from the Cabinet. The object of liberal ambition will

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be a ſeat in the Supreme Aſſembly; and no man of genius will accept, much leſs purſue, branded and degraded offices, which baniſh him from the natural ſphere of his powers.

Of the PLAN of JUDICATURE formed by the Aſſembly, I have not yet preſumed to form a decided opinion. It certainly approaches to an experiment, whether a code of laws can be formed ſufficiently ſimple and intelligible to ſupercede the neceſſity of lawyers by profeſſion *. Of all the attempts of the Aſſembly, the complicated relations of civilized ſociety ſeem to render this the moſt problematical. They have not, however, concluded this part of their labours, and the feebleneſs attributed to the elective judicatures of the *Departments*

* The ſexennial election of the Judges is ſtrongly and ably oppoſed by M. Calonne, p. 294, chiefly on the principle, that the ſtability of judicial offices is the only inducement to men to devote their lives to legal ſtudy, which alone can form good magiſtrates.

may

may probably be remedied by the dignity and force with which they will inveſt the two high national tribunals (*La Cour de Caſſation & la Haute Cour Nationale*) which they are about to organize.

On the ſubject of the EXECUTIVE MAGISTRACY, there is a preliminary remark, which the advocates as well as the enemies of the Revolution have too much neglected. The Aſſembly have been accuſed of violating their own principles by the aſſumption of executive powers; and their advocates have pled guilty to the charge. It has been forgotten that they had a double function to perform. They were not only to erect a new Conſtitution, but they were to guard it from deſtruction. Hence a neceſſary aſſumption of executive powers in the criſis of a Revolution. Had ſuperſtitious tenderneſs for the principle confined them to theoretical erections, which the breath of power was every

day deſtroying, they would indeed have merited thoſe epithets of viſionaries and enthuſiaſts with which they have been loaded. To judge, therefore, of the future executive magiſtracy of France by its preſent ſtate, is abſurd. We muſt not, as has been juſtly obſerved, miſtake for the new political edifice what is only the ſcaffolding neceſſary to its erection. The powers of the firſt magiſtrate are not to be eſtimated by the debility to which the convulſions of the moment have reduced them, but by the proviſions of the future Conſtitution.

The portion of power with which the King of France is inveſted, is certainly as much as pure theory demands for the executive magiſtrate. An organ to collect the Public will, and a hand to execute it, are the only neceſſary conſtituents of the ſocial union. The popular repreſentative forms the firſt; the executive officer the ſecond. To the point

where this principle would have conducted them, the French have not ventured to proceed. It has been aſſerted by Mr. Burke, that the French King has no negative on laws.—This, however, is not true. The minority who oppoſed any ſpecies of negative in the Crown was only 100, when 800 members were preſent in the Aſſembly. The King poſſeſſes the power of with-holding his aſſent to a propoſed law for *two* ſucceſſive Aſſemblies. If it is propoſed by the *third*, his aſſent, indeed, becomes neceſſary. This ſpecies of ſuſpenſive *veto* is with great ſpeciouſneſs and ingenuity contended by M. Necker to be more efficient than the obſolete negative of the Engliſh Princes *. A mild and limited negative may, he remarked, be exerciſed without danger or odium, while a prerogative, like the abſolute *veto*, muſt ſink into

* Rapport fait au Roi dans ſon Conſeil, par le premier Miniſtre des Finances, à Verſailles, le 11 Sept. 1789.

impotence

impotence from its invidious magnitude. It is too *great* to be exerciſed, and muſt, as it has in England, be tacitly abandoned by diſuſe. Is not that negative really efficient, which is only to yield to the national voice, ſpoken after four years deliberation, and in two ſucceſſive elections of Repreſentatives?—What Monarch of a free State, I will be bold to aſk, could with decency or impunity oppoſe a negative the moſt unlimited in law, to the Public ſentiment, thus explicitly and conſtantly expreſſed? The moſt abſolute *veto* muſt, if the people perſiſt, prove eventually ſuſpenſive. A ſuſpenſive *veto* is therefore equivalent to an abſolute one, and being of leſs invidious exerciſe, confers more real power. "The power of remonſtrance *," ſays Mr.

* The *negative* poſſeſſed by the King of France is preciſely *double* of that which is entruſted to the Aſſembly. He may oppoſe his will to that of his whole people for *four years*, or the term of two Legiſlatures, while the oppoſition of the Aſſembly to the general voice can only exiſt for *two years*,

Burke, " which was anciently veſted in the " Parliament of Paris, is now abſurdly en- " truſted to the executive magiſtrate." One might have ſuppoſed that this was a power of remonſtrance like that of the Parliament of Paris to the *Legiſlature*. It is however, as we have ſeen, a power of a very different deſcription, a power of remonſtrating to the people againſt their Repreſentatives, the only ſhare in legiſlation (whether it be nominally *abſolute*, or nominally *limited*) that a free Government can entruſt to its ſupreme magiſtrate *.

On the Prerogative of WAR and PEACE, Mr. Burke † has ſhortly, and M. Calonne ‡

when a new election annihilates them. So inconſiderately has this prerogative been repreſented as nominal. The whole of this argument is in ſome meaſure *ad hominem*, for I myſelf am dubious about the utility of any ſpecies of Royal *veto*, abſolute or ſuſpenſive.

* P. 301.

† Burke, p. 295—6. ‡ Calonne, p. 170—200.

at great length, arraigned the ſyſtem of the Aſſembly.

In the Conſtitution of France, war is to be declared by a decree of the Legiſlature, on the propoſition of the King. He poſſeſſes excluſively the *initiative*. It cannot originate with any member of the Legiſlature. The firſt remark ſuggeſted by this arrangement is, that the difference between it and the *theory* of the Engliſh Conſtitution is purely nominal. That *theory* ſuppoſes an independent Houſe of Commons, a rigorous reſponſibility, and a REAL power of impeachment. Were theſe in any reſpect realized, it is perfectly obvious, that a deciſion for war muſt in every caſe depend on the deliberation of the Legiſlature. No Miniſter would hazard hoſtilities without the ſanction of a body who held a ſword ſuſpended over his head; and as this theory ſuppoſes the Houſe of Commons perfectly uninfluenced by the Crown, the ultimate deciſion

could in no reſpect depend on the executive magiſtrate, and no power remains to him but the *initiative*. The forms indeed, in the majority of caſes, aim at a ſemblance of the theory. A Royal meſſage announces imminent hoſtilities, and a Parliamentary addreſs of promiſed ſupport, re-echoes the meſſage. It is this addreſs alone which emboldens and authorizes the Cabinet to proceed in their meaſures. The Royal meſsage correſponds to the French *initiative*; and if the purity of our practice bore any proportion to the ſpecioufneſs of our theory, the addreſs would be a *decree* of the Legiſlature, adopting the propoſition of the King. No man therefore, who is a ſincere and enlightened admirer of the Engliſh Conſtitution, *as it ought, and is pretended to exiſt*, can conſiſtently reprobate an arrangement which differs from it only in the moſt frivolous circumſtances. To ſpeak of our practical Government would be an outrage on common ſenſe. There no trace of

thoſe

thoſe diſcordant powers which are ſuppoſed in our theoretical Conſtitution remains. The moſt beautiful ſimplicity prevails. The ſame influence determines the executive and legiſlative power. The ſame Cabinet makes war in the name of the King, and ſanctions it in the name of the Parliament. But France, deſtitute of the cement which united theſe jarring powers, was reduced to imitate our theory inſtead of our practice. Her Exchequer was too ruinouſly beggared for adopting this admirable ſyſtem.

Suppoſing however, but not granting, that this formidable prerogative was more abridged in France than it is by the *theory* of our Government, the expediency of the limitation remains to be conſidered. The chief objections are its tendency to favour the growth of foreign factions, and to derogate from the promptitude ſo neceſsary to military ſucceſs. To both theſe objections there is one general

anſwer. They proceed on the ſuppoſition of the frequency of wars. They both ſuppoſe, that France will retain part of that political ſyſtem which ſhe has diſclaimed. But if ſhe adheres with good faith to her declarations, war muſt become to her ſo rare an occurrence, that the objections become inſignificant. Foreign Powers have no temptation to purchaſe factions in a State which does not interpoſe in foreign politics; and a wiſe nation, which regards victorious war as not leſs fatally intoxicating to the victors, than widely deſtructive to the vanquiſhed, will not ſurrender their probability of peace from the dread of defeat, nor purchaſe the hope of victory by proviſions for facilitating war. France, after having renounced for ever the idea of conqueſt, can, indeed, have no ſource of probable hoſtility but her colonies. Colonial poſſeſſions have been ſo unanſwerably demonſtrated to be commercially uſeleſs, and politically ruinous, that the conviction of philoſo-

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phers cannot fail of having, in due time, its effect on the minds of enlightened Europe, and delivering the French Empire from this cumberous and deſtructive appendage.

But even were the exploded villainy that has obtained the name of politics to be re-adopted in France, the objections would ſtill be feeble. The firſt, which muſt be confeſſed to have a ſpecious and formidable air, ſeems evidently to be founded on the hiſtory of Sweden and Poland, and on ſome facts in that of the Dutch Republic. It is a remarkable example of thoſe looſe and remote analogies by which ſophiſts corrupt and abuſe hiſtory. Peculiar circumſtances in the ſituation of theſe States diſpoſed them to be the ſeat of foreign factions. It did not ariſe from war being decided by public bodies, for if it had, it muſt have exiſted in ancient Rome and Carthage—in modern Venice, and Switzerland, in the republican Parliament of England, and in the

Congreſs

Congreſs of the United States of America.—Holland too, in her better and more vigorous days, was perfectly exempt from this evil.—No traces of it appear in her hiſtory till the age of Charles II. and Louis XIV. when divided between jealouſy of the commerce of England and dread of the conqueſts of France, ſhe threw herſelf into the arms of the Houſe of Orange, and forced the partizans of freedom into a reliance on French ſupport. In more recent periods, domeſtic convulſions have more fatally diſplayed her debilities, and too clearly evinced, that of that ſplendor which ſhe gained from the ignorant indolence of the world, ſhe now only retains the ſhadow, by the indulgence and courteſy of Europe. The caſe of Sweden is with the utmoſt facility explicable. An indigent and martial people, whether it be governed by one or many deſpots, will ever be ſold by its tyrants to the enterprizes of opulent ambition; and recent facts have proved, that a change in the Government

vernment of Sweden has not changed the *ſtipendiary* ſpirit of its military ſyſtem. Poland is an example ſtill leſs relevant. There an independent anarchy of deſpots naturally *league* themſelves variouſly with foreign Powers. Yet Ruſſian force has done more than Ruſſian gold; and Poland has ſuffered ſtill more from feebleneſs than venality. No analogy can be ſuppoſed to exiſt between theſe caſes and that of France. I hazard the iſſue of the diſcuſſion on one plain point. All the Powers of Europe could not expend money enough to form and *maintain* a faction in their intereſt in France. Let us ſuppoſe it poſſible that the Legiſlature of this vaſt and opulent kingdom could *once* be corrupted; but let us recollect, that a ſeries of Legiſlatures, collected by the moſt extenſively popular election, are to be in ſucceſſion purchaſed, to obtain any permanent aſcendant, and it will be evident, that *Potoſi* would be unequal to the attempt. If we conſider, that their deliberations are conducted

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under the detecting eye of a vigilant and enlightened people, the growth of foreign factions will appear ſtill more chimerical. All the States which have been quoted were poor, therefore cheaply corrupted; their Government was an Ariſtocracy, and was therefore only to be *once* bought; the people were ignorant, and could therefore be ſold by their Governors with impunity. The reverſe of theſe circumſtances will ſave France, as they have ſaved England, from this "worſt of "evils." Their wealth makes the attempt difficult; their diſcernment makes it hazardous; their ſhort truſt of power renders the object worthleſs, and its permanence impoſſible. That ſubjecting the deciſion of war to the deliberations of a popular aſſembly will, in a great meaſure, derogate from its energy, and unnerve it for all deſtructive purpoſes, I am not diſpoſed to deny. France muſt, however, when her conſtitution is cemented, be, in a *defenſive* view, invincible; and if her Government

vernment is unfitted for aggreſſion, it is little wonder that the Aſſembly ſhould have made no proviſion for a caſe which their principles do not ſuppoſe.

This is the laſt important arrangement reſpecting the executive power which Mr. Burke has conſidered, and it conducts us to a ſubject of infinite delicacy and difficulty, which has afforded no ſmall triumph to the enemies of the Revolution—THE ORGANIZATION OF THE ARMY. It muſt be confeſſed, that to conciliate an army of a hundred and fifty thouſand men, a navy of a hundred ſhips of the line, and a frontier guarded by a hundred fortreſſes, with the exiſtence of a free Government, is a tremendous problem. It cannot be denied, that hiſtory affords no example in which ſuch a Public force has not recoiled on the State, and become the ready inſtrument of military uſurpation. And if the State of France were not perfectly unexampled, and

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to which theſe hiſtorical arguments are not therefore applicable or pertinent, the inference would be inevitable. An army, with the ſentiments and habits which it is the ſyſtem of modern Europe to inſpire, is not only hoſtile to freedom, but incompatible with it. A body of men poſſeſſed of the whole force of a State, and ſyſtematically diveſted of every civil ſentiment, is a monſter that no rational polity can tolerate, and every circumſtance clearly ſhews it to be the object of French legiſlation to deſtroy it, not *as a body of armed citizens*—but as an ARMY. This is wiſely, and gradually to be effected. Two grand operations conduct to it—arming the people, and *unſoldiering* the army *. The firſt of theſe meaſures, the formation of the municipal army, certainly makes the nation independent of its military ſervants. An army of

* To uſe the language of M. Calonne, "*armant le peuple & populariſant l'armée.*"

four millions can never be coerced by one of a hundred and fifty thouſand; neither can they have a ſeparate ſentiment from the body of the nation, for they are the ſame. Whence the horror of Mr. Burke at thus arming the *nation*, under the title of a *municipal army*, has ariſen, it is even difficult to conjecture. Has it ceaſed to be true, that the defence of a free State is only to be committed to its citizens? Are the long oppoſition to a ſtanding army in England, its tardy and jealous admiſſion, and the perpetual clamour (at length illuſively gratified) for a militia, to be exploded, as the groſs and uncourtly ſentiments of our unenlightened anceſtors? The Aſſembly have put arms into the hands of the citizens, and by that means have for ever precluded both their own deſpotiſm and the uſurpation of the army. "They muſt rule," ſays Mr. Burke, "by "an army." If that be their ſyſtem, their policy is ſtill more wretched than he has repreſented it. For they ſyſtematically ſtrengthen

thoſe

thoſe who are to be governed, while they ſyſtematically enfeeble their engine of Government. They fortify the people, and weaken the army. They reduce themſelves and their army to dependence on the nation, whom alone they ſtrengthen and arm. A *Military Democracy*, if it means a deliberative body of ſoldiers, is the moſt execrable of tyrannies; but if it be underſtood to denote a popular Government, where every citizen is diſciplined and armed, it muſt then be pronounced to be the only free Government which retains within itſelf the means of preſervation.

The profeſſed ſoldiers, rendered impotent to any dangerous purpoſe by the ſtrength of the municipal army, are by many other circumſtances invited to throw off thoſe abject and murderous habits which form the perfection of a modern ſoldier. In other States the ſoldiery were in general disfranchiſed. They were

were too poor to be citizens. But in France a great part may enjoy the full rights of citizens. They are not then likely to ſacrifice their ſuperior to their inferior capacity, or to elevate their military importance by committing political ſuicide. They feel themſelves ſervile as ſoldiers, they are conſcious of being ſovereign as citizens. That diffuſion of political knowledge among them, which is ridiculed and reprobated by Mr. Burke, is the only remedy that could have fortified them againſt the ſeduction of an aſpiring Commander. That alone will teach them, that in lending themſelves to his views, they ſubmit themſelves to his yoke; that to deſtroy the liberty of others, they muſt ſacrifice their own. They have, indeed, gigantic ſtrength, and they may cruſh their fellow-citizens, by dragging down the ſocial edifice, but they muſt themſelves be overwhelmed by its fall. THE DESPOTISM OF ARMIES IS THE SLAVERY OF SOLDIERS. An army cannot be

ſtrong enough to tyrannize, that is not itſelf cemented by the moſt abſolute *interior* tyranny. The diffuſion of theſe great truths will perpetuate, as they have produced, a revolution in the character of the French ſoldiery. They will therefore, in the ſenſe of deſpotic diſciplinarians, ceaſe to be an army; and while the ſoldiers aſſume the ſentiments of citizens, and the citizens acquire the diſcipline of ſoldiers, the military character will be diffuſed, and the military profeſſion annihilated. Military ſervices will be the *duty* of all citizens, and the *trade* of none *. To

* Again I muſt encounter the deriſion of Mr. Burke, by quoting the ill-fated citizen of Geneva, whoſe life was embittered by the cold friendſhip of a Philoſopher, and whoſe memory is proſcribed by the alarmed enthuſiaſm of an orator. I ſhall preſume to recommend to the peruſal of every reader his tract entitled, "*Conſiderations ſur le Gouvernement de Pologne, &c.*" more eſpecially what regards the military ſyſtem. *Oeuvres de Rouſſeau, Geneve*, 1782, tome ii. p. 381—397. It may be proper to remark, that my other citations from Rouſſeau are from the ſame edition.

this object their ſyſtem evidently and inevitably tends. If a ſeparate body of citizens, as an army, is deemed neceſſary, it will probably be formed by rotation. A certain period of military ſervice will be exacted from every citizen, and may, as in ancient Republics, be made a neceſſary qualification for the purſuit of civil honours. In the preſent ſtate of France, the national guard is a ſufficient bulwark againſt the army, ſhould it relapſe into its ancient habits; and in its future ſtate, no body ſuſceptible of ſuch dangerous habits ſeems likely to exiſt. "*Gallos quoque in bel-*"*lis floruiſſe audivimus*," may indeed be the ſentiment of our children. The glory of heroiſm, and the ſplendor of conqueſt, have long enough been the patrimony of that great nation. It is time that it ſhould ſeek a new glory, and a new ſplendor, under the ſhade of freedom, in cultivating the arts of peace, and extending the happineſs of humanity.

SECTION V.

Engliſh Admirers vindicated.

IT is thus that Mr. Burke has ſpoken of the men and meaſures of a foreign nation, where patriotiſm could neither excuſe his preposſeſſion or aſperity, where no duty or feeling ought to preclude him from adopting the feelings of a diſintereſted poſterity, and aſſuming the diſpaſſionate tone of a philoſopher and a hiſtorian. What wonder then that he ſhould wanton ſtill leſs temperately in all the eloquence and virulence of an advocate againſt fellow-citizens, to whom he attributes the flagitious purpoſe of ſtimulating England to the

the imitation of ſuch enormities. The Revolution and Conſtitutional Societies, and Dr. Price, whom he regards as their oracle and guide, are the grand objects of his hoſtility. For them no contumely is too debaſing, no invective is too intemperate, no imputation too foul. Joy at the downfall of deſpotiſm is the indelible crime, for which no virtue can compenſate, and no puniſhment can atone. An inconſiſtency betrays itſelf not unfrequently in literary quarrels. He affects to deſpiſe thoſe whom he appears to dread. His anger exalts thoſe whom his ridicule would vilify; and on thoſe whom at one moment he derides as too contemptible for reſentment, he at another confers a criminal eminence, as too audacious for contempt. Their voice is now the importunate chink of the meagre ſhrivelled inſects of the hour, now the hollow murmur, ominous of convulſions and earthquakes, that are to lay the fabric of ſociety in ruins. To provoke againſt the doctrines and perſons of theſe

unfortunate Societies this ſtorm of execration and deriſion, it was not ſufficient that the French Revolution ſhould be traduced, every record of Engliſh policy and law is to be diſtorted.

The Revolution of 1688 is confeſſed to have eſtabliſhed principles by thoſe who lament that it has not reformed inſtitutions. It has ſanctified the theory, if it has not inſured the practice of a free Government. It eſtabliſhed, by a memorable precedent, the right of the people of England to revoke abuſed power, to frame the Government, and beſtow the Crown. There was a time, indeed, when ſome wretched followers of Filmer and Blackwood lifted their heads in oppoſition. But more than half a century had withdrawn them from Public contempt to the amneſty and oblivion which their innoxious ſtupidity had purchaſed.

It was reſerved for the latter end of the eighteenth century to conſtrue theſe innocent and obvious inferences into libels on the Conſtitution and the laws. Dr. Price had aſſerted (I preſume without fear of contradiction) that the Houſe of Hanover owes the Crown of England to the choice of their people, that the Revolution had eſtabliſhed our right "to "chooſe our own Governors, to caſhier "them for miſconduct, and to frame a Go"vernment for ourſelves." The firſt propoſition, ſays Mr. Burke, is either falſe or nugatory. If it imports that England is an elective Monarchy, "* it is an unfounded, dan"gerous, illegal, and unconſtitutional poſi"tion." † If it alludes to the election of his Majeſty's anceſtors to the Throne, it no more legalizes the Government of England than that of other nations, where the founders of dynaſties have generally founded their claims

* Page 17. † P. 19.

on ſome ſort of election. The firſt member of this dilemma merits no reply. The people may certainly, as they have done, *chuſe* hereditary rather than elective Monarchy. They may *elect* a race inſtead of an individual. Their *right* is in all theſe caſes equally unimpaired. It will be in vain to compare the pretended elections in which a Council of Barons, or an army of mercenaries, have impoſed uſurpers on enſlaved and benighted kingdoms, with the ſolemn, deliberate, national *choice* of 1688. It is, indeed, often expedient to ſanction theſe deficient titles by ſubſequent acquieſcence. It is not among the projected innovations of France to revive the claims of any of the poſterity of Pharamond and Clovis, and to arraign the uſurpations of Pepin or Hugh Capet. Public tranquility thus demands a veil to be drawn over the ſucceſsful crimes through which Kings have ſo often waded to the Throne. But wherefore ſhould we not exult, that the Supreme Magiſtracy of England

is

is free from this blot; that as a *direct* emanation from the ſovereignty of the people, it is as legitimate in its origin as in its adminiſtration. Thus underſtood, the poſition of Dr. Price is neither falſe or nugatory. It is not nugatory, for it honourably diſtinguiſhes the Engliſh Monarchy among the Governments of the world; and if it be falſe, the whole hiſtory of our Revolution muſt be a legend. The fact was ſhortly, that the Prince of Orange was elected King of England, in contempt of the claims, not only of the exiled Monarch and his ſon, but of the Princeſſes Mary and Anne, the undiſputed progeny of James II. The title of William III. was then clearly not *ſucceſſion*; and the Houſe of Commons ordered Dr. Burnet's tract to be burnt by the hands of the hangman for maintaining that it was *conqueſt*. There remains only *election*, for theſe three claims to Royalty are all that are known among men. It is futile to urge, that the Convention deviated only *ſlenderly* from

from the order of ſucceſſion. The deviation was indeed ſlight, but it deſtroyed the principle, and eſtabliſhed their *right* to deviate; the point at iſſue. The principle that juſtified the elevation of William III. and the preference of the poſterity of Sophia of Hanover to thoſe of Henrietta of Orleans, would equally, in *point of right*, have vindicated the election of Chancellor Jefferies or Colonel Kirk. The *choice* was, like every other choice, to be guided by views of policy and prudence, but it was a choice ſtill.

From theſe views aroſe that repugnance between the conduct and the language of the Revolutioniſts, of which Mr. Burke has availed himſelf. Their conduct was manly and ſyſtematic. Their language was conciliating and equivocal. They kept meaſures with prejudice which they deemed neceſſary to the order of ſociety. They impoſed on the groſsneſs of the popular underſtanding, by a

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ſort of compromiſe between the Conſtitution and the abdicated family. "They drew a "politic well-wrought veil," to uſe the expreſſions of Mr. Burke, over the glorious ſcene which they had acted. They affected to preſerve a ſemblance of ſucceſſion, to recur for the objects of their election to the poſterity of Charles and James, that reſpect and loyalty might with leſs violence to Public ſentiment attach to the new Sovereign. Had a Jacobite been permitted freedom of ſpeech in the Parliaments of William III. he might thus have arraigned the Act of Settlement—"Is "the language of your ſtatutes to be at eter- "nal war with truth?—Not long ago you "profaned the forms of devotion by a thankſ- "giving, which either means nothing, or "inſinuates a lie. You thanked Heaven for "the preſervation of a King and Queen on "the Throne of their anceſtors; an expreſ- "ſion which either was ſingly meant of their "deſcent, which was frivolous, or inſinuated

"their

" their hereditary right, which was falſe.—
" With the ſame contempt for conſiſtency
" and truth, we are this day called on to
" ſettle the Crown of England on a Princeſs
" of Germany, " becauſe" ſhe is the grand-
" daughter of James the Firſt. If that be,
" as the phraſeology inſinuates, the *true* and
" *ſole* reaſon of the choice, conſiſtency de-
" mands that the words after " excellent"
" ſhould be omitted, and in their place be
" inſerted " Victor Amadeus, Duke of Savoy,
" married to the daughter of the moſt excel-
" lent Princeſs Henrietta, late Ducheſs of
" Orleans, daughter of our late Sovereign
" Lord Charles I. of glorious memory."—
" Do homage to loyalty in your actions,
" or abjure it in your words—avow the
" grounds of your conduct, and your man-
" lineſs will be reſpected by thoſe who de-
" teſt your rebellion." What reply Lord Somers, or Mr. Burke, could have deviſed to this Philippic, I know not, unleſs they confeſſed

confeſſed that the authors of the Revolution had one language for novices and another for adepts. Whether this conduct was the fruit of caution and conſummate wiſdom, or of a narrow, arrogant, and daſtardly policy, which regarded the human race as only to be go-governed by being duped, it is uſeleſs to enquire, and might be preſumptuous to determine. But it certainly was not to be expected, that any controverſy ſhould have ariſen by confounding their *principles* with their *pretexts*. With the latter; the poſition of Dr. Price has no connexion; from the former, it is an infallible inference.

The next doctrine of this obnoxious ſermon that provokes the indignation of Mr. Burke is, that the Revolution has eſtabliſhed "our right to caſhier our Gover-"nors for miſconduct." Here a plain man could have foreſeen ſcarcely any diverſity of opinion. To contend that the depoſition of a

King

King for the abuſe of his powers did not eſtabliſh a principle in favour of the like depoſition, when the like abuſe ſhould again occur, is certainly one of the moſt arduous enterprizes that ever the heroiſm of paradox encountered. He has, however, not neglected the means of retreat. "No Government," he tells us, "could ſtand a moment, if it "could be blown down with any thing ſo "looſe and indefinite as opinion of *miſcon-* "*duct.*" One might ſuppoſe, from the dextrous levity with which the word miſconduct is introduced, that the partizans of Democracy had maintained the expediency of depoſing Kings for every frivolous and venial fault, of revolting againſt a Monarch for the choice of his titled or untitled valets, for removing his footmen, or his Lords of the Bedchamber.—It would have been candid in Mr. Burke not to have diſſembled what he muſt know, that by *miſconduct* was meant that preciſe ſpecies of miſconduct for which James II. was dethroned—

throned——A CONSPIRACY AGAINST THE LIBERTY OF HIS COUNTRY.'

Nothing can be more weak than to urge the *Conſtitutional irreſponſibility* of Kings or Parliaments. The law can never ſuppoſe them reſponſible, becauſe their reſponſibility ſuppoſes the diſſolution of ſociety, which is the annihilation of law. In the Governments which have hitherto exiſted, the power of the magiſtrate is the only article in the ſocial compact. Deſtroy it, and ſociety is diſſolved. A legal proviſion for the reſponſibility of Kings would infer, that the authority of laws could co-exiſt with their deſtruction. It is becauſe they cannot be legally and conſtitutionally, that they muſt be morally and rationally reſponſible. It is becauſe there are no remedies to be found within the pale of ſociety, that we are to ſeek them in nature, and throw our parchment chains in the face of our oppreſſors. No man can deduce a prece-

dent of *law* from the Revolution, for law cannot exiſt in the diſſolution of Government. A precedent of reaſon and juſtice only can be eſtabliſhed on it; and perhaps the friends of freedom merit the miſrepreſentation with which they have been oppoſed, for truſting their cauſe to ſuch frail and frivolous auxiliaries, and for ſeeking in the profligate practices of men what is to be found in the ſacred rights of Nature. The ſyſtem of lawyers is indeed widely different. They can only appeal to uſage, precedents, authorities, and ſtatutes. They diſplay their elaborate frivolity, their perfidious friendſhip, in diſgracing freedom with the fantaſtic honour of a pedigree. A pleader at the Old Bailey, who would attempt to aggravate the guilt of a robber, or a murderer, by proving that King John, or King Alfred, puniſhed robbery and murder, would only provoke deriſion. A man who ſhould pretend that the reaſon why we had right to property is, becauſe our anceſtors

enjoyed

enjoyed that right 400 years ago, would be juſtly contemned. Yet ſo little is plain ſenſe heard in the myſterious nonſenſe which is the cloak of political fraud, that the Cokes, the Blackſtones, and Burkes, ſpeak as if our right to freedom depended on its poſſeſſion by our anceſtors. In the common caſes of morality we would bluſh at ſuch an abſurdity. No man would juſtify murder by its antiquity, or ſtigmatize benevolence for being novel. The genealogiſt who ſhould emblazon the one as coeval with Cain, or ſtigmatize the other as upſtart with Howard, would be diſclaimed even by the moſt frantic partizan of Ariſtocracy. This Gothic transfer of *genealogy* to truth and juſtice is peculiar to politics. The exiſtence of robbery in one age makes its vindication in the next; and the champions of freedom have abandoned the ſtrong hold of right for precedent, which, when the moſt favourable, is, as might be expected from the ages which furniſh it, feeble, fluctuating,

partial, and equivocal. It is not becauſe we *have* been free, but becauſe we have a right to be free, that we ought to demand freedom. Juſtice and liberty have neither birth nor race, youth nor age. It would be the ſame abſurdity to aſſert, that we have a right to freedom, becauſe the Engliſhmen of Alfred's reign were free, as that three and three are ſix, *becauſe* they were ſo in the camp of Genghis Khan. Let us hear no more of this ignoble and ignominious pedigree of freedom. Let us hear no more of her Saxon, Daniſh, or Norman anceſtors. Let the immortal daughter of Reaſon, of Juſtice, and of God, be no longer confounded with the ſpurious abortions that have uſurped her name.

But, ſays Mr. Burke, we do not contend that right as created by antiquarian reſearch. We are far from contending that poſſeſſion legitimates tyranny, or that fact ought to be confounded with right. But,

(to

(to ſtrip Mr. Burke's eulogies on Engliſh wiſdom of their declamatory appendage) the impreſſion of antiquity endears and ennobles freedom, and fortifies it by rendering it auguſt and venerable in the popular mind. The illuſion is uſeful. The expediency of *political impoſture* is the whole force of the argument. A principle odious and ſuſpected to the friends of freedom, as the grand bulwark of ſecular and ſpiritual deſpotiſm in the world. To pronounce that men are only to be governed by deluſion is to libel the human underſtanding, and to conſecrate the frauds that have elevated Deſpots and Muftis, Pontiffs and Sultans, on the ruin of degraded and oppreſſed humanity. But the doctrine is as falſe as it is odious. Primary political truths are few and ſimple. It is eaſy to make them underſtood, and to transfer to Government the ſame enlightened ſelf-intereſt that preſides in the other concerns of life. It may be made to be reſpected, not becauſe it is

ancient, or becauſe it is ſacred, not becauſe it has been eſtabliſhed by Barons, or applauded by Prieſts, but becauſe it is uſeful. Men may eaſily be inſtructed to maintain rights which it is their *intereſt* to maintain, and duties which it is their *intereſt* to perform. This is the only principle of authority that does not violate juſtice and inſult humanity. It is alſo the only one which can poſſeſs ſtability. The various faſhions of prejudice and factitious ſentiment which have been the baſis of Governments, are ſhort-lived things. The illuſions of chivalry, and the illuſions of ſuperſtition, which give ſplendor or ſanctity to Government, are in their turn ſucceeded by new modes of opinion and new ſyſtems of manners. Reaſon alone, and natural ſentiment, are the denizens of every nation, and the cotemporaries of every age. A conviction of the utility of Government affords the only ſtable and honourable ſecurity for obedience.

Our

Our anceſtors at the Revolution, it is true, were far from feeling the full force of theſe ſublime truths, nor was the Public mind of Europe, in the ſeventeenth century, ſufficiently enlightened and matured for the grand enterprizes of legiſlation. The ſcience which teaches the rights of man, the eloquence that kindles the ſpirit of freedom, had for ages been buried with the other monuments of the wiſdom and relicts of the genius of antiquity. But the revival of letters firſt unlocked only to a few the ſacred fountain. The neceſſary labours of criticiſm and lexicography occupied the earlier ſcholars, and ſome time elapſed before the ſpirit of antiquity was transfuſed into its admirers. The firſt man of that period who united elegant learning to original and maſculine thought was Buchanan, and he too ſeems to have been the firſt ſcholar who caught from the ancients the noble flame of republican enthuſiaſm. This praiſe is merited

by his neglected, though incomparable tract, *De Jure Regni*, in which the principles of popular politics, and the maxims of a free Government, are delivered with a preciſion, and enforced with an energy, which no former age had equalled, and no ſucceeding has ſurpaſſed. But the ſubſequent progreſs of the human mind was ſlow. The profound views of Harrington were derided as the ravings of a viſionary; and who can wonder, that the frantic loyalty which depreſſed Paradiſe Loſt, ſhould involve in ignominy the eloquent apology of Milton for the people of England againſt a feeble and venal pedant. Sidney, "by ancient learning, to the enlightened love of ancient freedom warmed," taught the principles which he had ſealed with his blood; and Locke, whoſe praiſe is leſs that of being bold and original, than of being temperate, ſound, lucid, and methodical, deſerves the immortal honour of having ſyſtematized, and

rendered

rendered popular the doctrines of civil and religious liberty. In Ireland, Molyneux, the friend of Locke, produced the "*Caſe of Ireland*," a production of which it is ſufficient praiſe to ſay, that it was ordered to be burnt by a deſpotic Parliament; and in Scotland, Andrew Fletcher, the ſcholar of Algernon Sidney, maintained the cauſe of his deſerted country with the force of ancient eloquence, and the dignity of ancient virtue.

Such is a rapid enumeration of thoſe who had before, or near the Revolution, contributed to the diffuſion of political light. But their number was ſmall, their writings were unpopular, their dogmas were proſcribed. The habits of reading had only then begun to teach the great body of mankind, whom the arrogance of rank and letters have ignominiouſly confounded under the denomination of the vulgar. Many cauſes too contributed to form a powerful Tory intereſt in England.

The remnant of that Gothic ſentiment, the extinction of which Mr. Burke ſo pathetically deplores, which engrafted loyalty on a point of honour in military attachment, formed one part, which may be called the *Toryiſm of Chivalry*. Doctrines, almoſt now too much forgotten for deriſion, of a divine right in Kings, were then ſupported and revered.—This may be called the *Toryiſm of Superſtition*. And a third ſpecies aroſe from the great transfer of property into an upſtart commercial intereſt, which drove the ancient gentry of England, for protection againſt its inroads, behind the Throne. This may be called the *Toryiſm of Landed Ariſtocracy* *. Religious

* Principle is reſpectable, even in its miſtakes, and theſe Tories of the laſt century were a party of principle. There were accordingly among them men of the moſt elevated and untainted honor. Who will refuſe that praiſe to Clarendon and Southampton, Ormond and Montroſe.—But Toryiſm, as a party of principle, cannot now exiſt in England; for the principles on which we have ſeen it to be founded

prejudices, outrages on natural ſentiment, which any artificial ſyſtem is too feeble to withſtand, and the ſtream of events which bore them along to extremities which no man could have foreſeen, involved the Tories in the Revolution, and made it a truly national act.

But their repugnance to every ſhadow of innovation was invincible. Something the Whigs may be ſuppoſed to have conceded for the ſake of conciliation, but few even of their leaders, it is probable had grand and liberal views. What indeed could have been expected from the delegates of a nation, in which, a few years before, the Univerſity of Oxford, repreſenting the national learning

founded, exiſt no more. The Gothic ſentiment is effaced, the ſuperſtition is exploded, and the landed and commercial intereſts are completely intermixed. The Toryiſm of the preſent day can only ariſe from a corrupt or abject heart.

and

and wiſdom, had, in a ſolemn decree offered their congratulations to Sir George Mackenzie (infamous for the abuſe of brilliancy and accompliſhment for the moſt ſervile and profligate purpoſes) as having confuted the abominable doctrines of Buchanan and Milton, and demonſtrated the divine right of Kings to tyrannize and oppreſs mankind! It muſt be evident, that a people which could thus, by the organ of its moſt learned body, proſtrate its reaſon before ſuch execrable abſurdities, was too *young* for legiſlation. Hence the abſurd debates in the Convention about the palliative phraſes of abdicate, deſert, &c. which were better cut ſhort by the Parliament of Scotland, when they uſed the correct and manly expreſſion, that James II. had FORFEITED THE THRONE. Hence we find the Revolutioniſts perpetually belying their political conduct by their legal phraſeology.—Hence their impotent and illuſive reforms.—

Hence

Hence their neglect of foreſight * in not providing bulwarks againſt the natural tendency of a diſputed ſucceſſion to accelerate moſt rapidly the progreſs of Royal influence, by rendering it neceſſary to ſtrengthen ſo much the poſſeſſor of the Crown againſt the pretender to it, and thus partially ſacrificing freedom to the very means of preſerving it.

But to elucidate the queſtion more fully, "let us liſten to the genuine oracles of Re-

* This progreſs of Royal influence from a diſputed ſucceſſion has, in fact, moſt fatally taken place. The Proteſtant ſucceſſion was the ſuppoſed means of preſerving our liberties, and to that *means* the end has been moſt deplorably ſacrificed. The Whigs, the ſincere, though timid and partial friends of freedom, were forced to cling to the Throne as the anchor of liberty. To preſerve it from utter ſhipwreck, they were forced to yield ſomething to its protectors. Hence a national debt, a ſeptennial Parliament, and a ſtanding army. The avowed reaſon of the two laſt was Jacobitiſm. Hence the unnatural coalition between Whiggiſm and Kings during the reigns of the two firſt Princes of the Houſe of Hanover, which the pupillage of Leiceſter-houſe ſo totally broke.

" volution policy ;" not to the equivocal and palliative language of their ſtatutes, but to the unreſtrained effuſion of ſentiment in that memorable conference between the Lords and Commons, on Tueſday the 5th of February, 1688, which terminated in eſtabliſhing the preſent Government of England. The Tories yielding to the torrent, in the *perſonal* excluſion of James II. reſolved to embarraſs the Whigs, by urging that the declaration of the abdication and vacancy of the Throne, was a change of the Government, *pro hac vice*, into an elective Monarchy. The inference is irreſiſtible, and it muſt be confeſſed, that though the Whigs were the better citizens, the Tories were the more correct logicians. It is in this conference that we ſee the Whig leaders compelled to diſcloſe ſo much of thoſe principles, which tenderneſs for prejudice, and reverence for uſage, had influenced them to diſſemble. It is here that we ſhall diſcover ſparks kindled in the colliſion of debate,

ſufficient to enlighten the "politic gloom" in which they had enveloped their meaſures.

If there be any names venerable among the conſtitutional lawyers of England, they are thoſe of Lord Somers and Mr. Serjeant Maynard. They were both conſpicuous managers for the Commons in this conference, and the language of both will more than ſanctify the inferences of Dr. Price, and the creed of the Revolution Society. My Lord Nottingham, who conducted the conference on the part of the Tories, in a manner moſt honourable to his dexterity and acuteneſs, demanded of the Managers for the Commons, "Whether they "mean the Throne to be ſo *vacant* as to null "the ſucceſſion in the hereditary line, and "ſo all the heirs to be cut off? which we "(the Lords) ſay, will make the Crown "*elective*." Maynard, whoſe argument always breathed much of the old republican ſpirit, replied with force and plainneſs, "It is

"not

" not that the Commons do ſay the Crown " of England is ALWAYS AND PERPE- " TUALLY ELECTIVE, but it is neceſſary " there be a ſupply where there is a defect." It is impoſſible to miſtake the import of theſe words. Nothing can be more evident, than that by the mode of *denying* that the Crown was ALWAYS AND PERPETUALLY ELECTIVE, he confeſſes that it was for the then exigency *elective*. In purſuance of his argument, he uſes a compariſon ſtrongly illuſtrative of his belief in dogmas anathematized by Mr. Burke. " If two of us make a mutual " agreement to help and defend each other " from any one that ſhould aſſault us in a " journey, and he that is with me turns upon " me, and breaks my head, he hath un- " doubtedly *abdicated* my aſſiſtance, and re- " volted." Sentiments more correct, or irreverent of the Kingly office, are not to be found in the moſt profane evangeliſt that diſgraces the Democratic canon. It is not unworthy

worthy of incidental remark, that there were then perſons who felt as great horror at novelties, which have ſince been univerſally received, as Mr. Burke now feels at the "rights "of men." The Earl of Clarendon, in his ſtrictures on the ſpeech of Mr. Somers, ſaid, "I may ſay thus much in general, that this "breaking the original contract is a language "that has not long been uſed in this place; "nor known in any of our law-books, or "Public records. It is ſprung up but as taken "from ſome late authors, and thoſe none of "the beſt received!"—This language one might have ſuppoſed to be that of Mr. Burke. It is not however his; it is that of a Jacobite Lord of the 17th century!

The Tories continued to perplex and intimidate the Whigs with idea of *election*.—Maynard again replies, "The word *elective* is "none of the Commons word. The provi-"ſion muſt be made, and if it be that will not "render

" render the kingdom *perpetually* ELECTIVE."
If it were neceſſary to multiply citations to prove, that the Revolution was to all intents and purpoſes an *election*, we might hear Lord Nottingham, whoſe diſtinction is peculiarly applicable to the caſe before us. " If," ſays he, " you do once make it *elective*, I do not " ſay you are always *bound* to go to *election*, " but it is enough to make it ſo, if by that " precedent there be a breach in the heredi- " tary ſucceſſion." The reaſoning of Sir Robert Howard, another of the Managers for the Commons, is bold and explicit. " My " Lords, you will do well to conſider; have " you not yourſelves limited the ſucceſſion, " and cut off ſome that might have a line of " right? Have you not concurred with us in " our vote, that it is inconſiſtent with our " religion and our laws to have a Papiſt to " reign over us? *Muſt* we not then come to " an ELECTION, if the next heir be a Papiſt?" The preciſe fact which followed.—But what tends

tends the moſt ſtrongly to illuſtrate that contradiction between the *exoteric* and *eſoteric* doctrine, the legal language, and the real principles which forms the baſis of this whole argument, is the avowal of Sir Richard Temple, another of the Managers for the Commons—" We are in as natural a capacity " as any of our predeceſſors were to provide " for a remedy in ſuch exigencies as this." Hence it followed moſt infallibly, that their poſterity to all generations " *would be in the* " *ſame natural capacity*," to provide remedy for exigencies. But let us hear their Statutes. There " the Lords Spiritual and Temporal, " and Commons, do, in the name of all the " people of England, moſt humbly *and faith-* " *fully ſubmit themſelves, their heirs and poſte-* " *rity, for ever*," &c. Here is the triumph of Mr. Burke—a ſolemn abdication and renunciation of right to change the Monarch or the Conſtitution! His triumph is increaſed by this ſtatutary abolition of the rights of men

being copied from a ſimilar profeſſion of eternal allegiance made by the Parliament of Elizabeth !—It is difficult to conceive any thing more prepoſterous. In the very act of exerciſing a right which their anceſtors had abdicated in their name, they abdicate the ſame right in the name of their poſterity. To increaſe the ridicule of this legiſlative farce, they impoſe an *irrevocable* law on their poſterity in the preciſe words of that law irrevocably impoſed on them by their anceſtors, at the moment when they are violating it. The Parliament of Elizabeth ſubmit themſelves and their poſterity for ever. The Convention of 1688 ſpurn the ſubmiſſion for themſelves, but re-enact it for their poſterity. And after ſuch a glaring inconſiſtency, this language of ſtatutary adulation is ſeriouſly and triumphantly brought forward as "the *unerring* "*oracles* of Revolution policy."

Thus

Thus evidently has it appeared, from the conduct and language of the leaders of the Revolution, that it was a *depoſition* and an *election*; and that all language of a contrary tendency, which is to be found in their acts, aroſe from the remnant of their own prejudice, or from conceſſion to the prejudice of others, or from the ſuperficial and preſumptuous policy of impoſing auguſt illuſions on mankind. The ſame ſpirit regulated, the ſame prejudices impeded their progreſs in every department. "They acted," ſays Mr. Burke, "by their ancient States." They did not—Were the Peers, and the members of a diſſolved Houſe of Commons, with the Lord-Mayor of London, &c. convoked by a ſummons from the Prince of Orange, the Parliament of England?—No. They were neither lawfully elected nor lawfully aſſembled. But they affected a ſemblance of a Parliament in their convention, and a ſemblance of hereditary right in their election. The ſubſequent

act of Parliament is nugatory; for as that Legiſlature derived its whole exiſtence and authority from the Convention, it could not return more than it had received, and could not therefore *legalize* the acts of the body which created it. If they were not previouſly legal, the Parliament itſelf was without *legal* authority, and could therefore give no legal ſanction. It is therefore without any view to a prior, or alluſion to a poſterior Revolution, that Dr. Price, and the Revolution Society of London, think themſelves entitled to conclude, that abuſed power is revocable, and corrupt Governments ought to be reformed. Of the firſt of theſe Revolutions, that in 1648, they may, perhaps, entertain different ſentiments from Mr. Burke. They will confeſs that it was debaſed by the admixture of fanaticiſm; they may lament that hiſtory has ſo often proſtituted her ungenerous ſuffrage to ſucceſs, and that the Commonwealth was obſcured and overwhelmed by the ſplendid pro-

fligacy

fligacy of military uſurpation. But they cannot arrogate the praiſe of having been the firſt to maintain, nor can Mr. Burke ſupport his claim to have been the firſt who reprobated, *ſince that period*, the audacious hereſy of popular politics. The prototype of Mr. Burke is not a leſs notorious perſonage than the predeceſſor he has aſſigned to Dr. Price. Hiſtory has preſerved fewer memorials of Hugh Peters than of Judge Jeffries. It was the fortune of that luminary and model of lawyers to ſit in judgment on one of the fanatical apoſtles of Democracy. In the preſent ignominious obſcurity of the ſect in England, it may be neceſſary to mention that the name of this criminal was Algernon Sidney. He had, it is true, in his time acquired ſome renown: He was celebrated as the hero, and deplored as the martyr of freedom. But the learned magiſtrate was above this "epidemical fanati-" ciſm." He inveighed againſt his peſtilential dogmas in a ſpirit that deprives Mr. Burke's

nvective againſt Dr. Price of all pretenſions to originality. An unvarniſhed ſtatement will ſo well evince the harmony both of the culprits and the accuſers, that remark is ſuperfluous—

ALGERNON SIDNEY.

(*Indictment againſt him.*)

"And that the aforeſaid Algernon Sidney did make, compoſe and write, or cauſe to be made, compoſed and written, a certain falſe, ſcandalous and ſeditious libel, in which is contained the following Engliſh words—— "*The power originally in the* "*people is delegated to the Par-* "*liament*—He (meaning the "King) is ſubject to the laws "of God, as he is a man, "and to the people that made "him a King, inaſmuch as "he is a King." And in another place of the ſaid libel he ſays, "We may therefore "take away Kings without "breaking any yoke, or that "is made a yoke, which "ought not to be one, and "the injury therefore is "making or impoſing, and "there can be none in breaking it," &c.

DOCTOR PRICE.

His Sermon.

"We have a right to chuſe our own Governors, to caſhier them for miſconduct, and to frame a Government for ourſelves."

Thus

Thus we ſee the harmony of the culprits. The one is only a perſpicuous and preciſe abridgment of the other. The harmony of the Judges will not be found leſs remarkable. Mr. Burke, "when he talks as if he had "made a diſcovery, only follows a prece-"dent."

JUDGE JEFFRIES' *Charge to the Jury.*

"The King, it ſays, is reſponſible to them, and he is only their truſtee. He has miſgoverned; and he is to give it up, that they may be all Kings themſelves. Gentlemen, I muſt tell you, I think I ought, more than ordinarily to preſs this on you, becauſe I know the misfortunes of the late unhappy rebellion; and the bringing of the late bleſſed King to the ſcaffold was firſt begun by ſuch kind of principles *.

MR. BURKE.

"The Revolution Society chuſes to aſſert, that a King is no more than the firſt ſervant of the Public, created by it, and reſponſible to it."— "The ſecond claim of the Revolution Society is caſhiering the Monarch for miſconduct," p. 37. "The Revolution Society, the heroic band of fabricators of Governments, electors of Sovereigns," p. 98. "This ſermon is in a ſtrain which has never been heard in this kingdom in any of the pulpits which are tolerated or encouraged in it ſince 1648." p. 13.

* Trial of Algernon Sidney for High Treaſon. State Trials, vol. iii. page 710, & ſeq.

Thus does Mr. Burke chaunt his political ſong in exact uniſon with the ſtrains of the venerable Magiſtrate; they indict the ſame crimes; they impute the ſame motives; they dread the ſame conſequences.

The Revolution Society felt, from the great event which they profeſſedly commemorated, new motives to exult in the emancipation of France. The Revolution of 1688 deſerves more the attention of a philoſopher from its indirect influence on the progreſs of human opinion, than from its immediate effects on the Government of England. In the firſt view, it is perhaps difficult to eſtimate the magnitude of its effects. It ſanctified, as we have ſeen, the general principles of freedom. It gave the firſt example in civilized modern Europe of a Government which reconciled a ſemblance of *political*, and ſome portion of *civil* liberty with ſtability and peace. But above all, Europe owes to it the ineſtimable

ineſtimable bleſſing of an aſylum for freedom of thought. Hence England became the preceptreſs of the world in philoſophy and freedom. Hence aroſe the ſchool of ſages, who unſhackled and emancipated the human mind; from among whom iſſued the Lockes, the Rouſſeaus, the Turgots, and the Franklins, the immortal band of preceptors and benefactors of mankind. They ſilently operated a grand *moral* revolution, which was in due time to meliorate the ſocial order. They had tyrants to dethrone more formidable than Kings, and from whom Kings held their power. They wreſted the ſceptre from ſuperſtition, and dragged prejudice in triumph. They deſtroyed the arſenal whence deſpotiſm had borrowed her thunders and her chains. Theſe grand enterprizes of philoſophic heroiſm muſt have preceded the reforms of civil Government. The Coloſſus of tyranny was undermined, and a pebble overthrew it.— From this progreſs of opinion aroſe the American

rican Revolution, and from this, moſt unqueſtionably the delivery of France. Nothing, therefore, could be more natural, than that thoſe who, without blind bigotry for the forms, had a rational reverence for the principles of our anceſtors, ſhould rejoice in a Revolution, where theſe principles, which England had ſo long ſuffered to repoſe in impotent abſtraction, were called forth into energy, expanded, invigorated, and matured. If, as we have preſumed to ſuppoſe, the Revolution of 1688 may have had no ſmall ſhare in accelerating that progreſs of light which has diſſolved the prejudices that ſupported deſpotiſm, they may be permitted, beſides their exultation as friends of humanity, to indulge ſome pride as Engliſhmen.

It muſt be confeſſed that our anceſtors in 1688, confined, in their practical regulations, their views ſolely to the urgent abuſe. They puniſhed the uſurper without meliorating the Government,

Government, and they proſcribed uſurpations without correcting their ſource. They were content to clear the turbid ſtream, inſtead of purifying the polluted fountain. They merit, however, veneration for their atchievements, and the moſt ample amneſty for their defects, for the firſt were their own, and the laſt are imputable to the age in which they lived.—The true admirers of the Revolution will pardon it for having ſpared abuſive eſtabliſhments, only becauſe they revere it for having eſtabliſhed grand principles. But the caſe of Mr Burke is different; he deifies its defects, and derides its principles; and were Lord Somers to liſten to ſuch miſplaced eulogy, and tortured inference, he might juſtly ſay, "You "deny us the only praiſe we can claim, and "the only merit you allow us is in the ſa-"crifices we were compelled to make to pre-"judice and ignorance. Your glory is our "ſhame." Reverence for the principles, and pardon to the defects of civil changes, which

ariſe

ariſe in ages partially enlightened, are the plain dictates of common-ſenſe. Admiration of Magna Charta does not infer any reſpect for villainage. Reverence for Roman patriotiſm is not incompatible with deteſtation of ſlavery; nor does veneration for the Revolutioniſts of 1688 impoſe any blindneſs to the groſs, radical, and multiplied abſurdities and corruptions in their political ſyſtem. The true admirers of Revolution principles cannot venerate inſtitutions as ſage and effectual protection of freedom, which experience has proved to be nerveleſs and illuſive. "The "practical claim of impeachment." The vaunted reſponſibility of Miniſters is the moſt ſorry juggle of a political empiriciſm by which a people were ever attempted to be lulled into ſervitude. State proſecutions in free ſtates have ever either languiſhed in impotent and deſpiſed tedioufneſs, or burſt forth in a ſtorm of popular indignation, that at once overwhelms its object, without diſcrimination

of

of innocence or guilt. Nothing but this irreſiſtible fervor can deſtroy the barriers within which powerful and opulent delinquents are fortified. If this fervor is not with eminent hazard of equity and humanity gratified in the moment, it ſubſides. The natural influence of the culprit, and of the accomplices intereſted in his impunity, reſumes its place. As theſe trials are neceſſarily long, the facts which produce conviction, and the eloquence which rouzes indignation, being effaced from the Public mind by time, by ribaldry and ſophiſtry, the ſhame of a corrupt deciſion is extenuated. Every ſource of obloquy or odium that can be attached to the obnoxious and invidious character of an accuſer, is exhauſted by the profuſe corruption of the delinquent. The tribunal of Public opinion, which alone preſerves the purity of others, is itſelf polluted, and a people wearied, diſguſted, irritated, and corrupted, ſuffer the culprit to re-

tire in impunity * and ſplendor. *Damnatus inani judicio quid enim ſalvis infamia numeris.* Such has ever been the ſtate of things, when the force of the Government has been ſufficient to protect the accuſed from the firſt ebulition of popular impetuoſity. The Democracies of antiquity preſented a ſpectacle directly the reverſe. But no hiſtory affords any example of a juſt medium. State trials will always either be impotent or oppreſſive, a perſecution or a farce. Thus vain is the ſecurity of impeachment, and equally abſurd, ſurely, is our confidence in "the control of Parliaments," in their preſent conſtitution, and with their remaining powers. To begin with the laſt. They poſſeſs the *nominal* power of impeachment. Not to mention its diſuſe in

* Part of this deſcription is purely *hiſtorical.* Heaven forbid that the ſequel ſhould prove *prophetic.* When this ſubject preſents Mr. Burke to my mind, I muſt ſay, TALIS *cum ſis utinam noſter eſſes.*

the

the caſe of any Miniſter for more than ſeventy years, it is always too late to remedy the evil, and probably always too weak to puniſh the criminal. They poſſeſs a pretended power of with-holding ſupplies. But the ſituation of ſociety has in truth wreſted it from them. The ſupplies they muſt vote, for the army muſt have its pay, and the Public creditors their intereſt. A power that cannot be exerciſed without provoking mutiny, and proclaiming bankruptcy, the blindeſt bigot cannot deny to be purely *nominal*. A practical ſubſtitute for theſe theoretical powers exiſted till our days in the *negative* exerciſed by the Houſe of Commons on the choice of the Miniſter of the Crown. But the elevation of Mr. Pitt eſtabliſhed a precedent which extirpated the laſt *ſhadow* of popular control from the Government of England—

Olim vera fides
Sulla Mario que receptis libertas obit
Pompeio rebus adempto nunc & ficta perit.

But

But in truth, the force and the privileges of Parliament are almoſt indifferent to the people, for it is not the guardian of their rights, nor the organ of their voice. We are ſaid to be *unequally* repreſented. This is one of thoſe contradictory phraſes that form the political jargon of half-enlightened periods. Unequal freedom is a contradiction in terms. It ought not to be called freedom, but the power of ſome, and the ſlavery of others—the oppreſſion of one portion of mankind by another. The law is the deliberate reaſon of ALL guiding *their* occaſional will. Repreſentation is an expedient for peacefully, ſyſtematically, and unequivocally collecting this univerſal voice. So thought and ſo ſpoke the Edmund Burke of better times. "To follow, not to "force the Public inclination, to give a di- "rection, a form, a technical dreſs, and a "ſpecific ſanction to the general ſenſe of the "community is the true end of Legiſlature." *Burke's two Letters to Gentlemen in Briſtol,*

page

page 52. There ſpoke the correſpondent of Franklin *, the champion of America, the enlightened advocate of humanity and freedom !—If theſe principles be true, and they are ſo tried that it ſeems almoſt puerile to repeat them, who can without indignation hear the Houſe of Commons of England called a popular repreſentative. A more inſolent and prepoſterous abuſe of language is not to be found in the vocabulary of tyrants. The criterion that diſtinguiſhes *laws* from *dictates*, freedom from ſervitude, rightful Government from uſurpation, *the law being an expreſſion of the general will*, is wanting. This is the grievance which the admirers of the Revolution in 1688 deſire to remedy according to its *principles*. This is that perennial ſource of corruption which has increaſed, is increaſing, and ought to be diminiſhed. If the general

* Mr. Burke has had the honour of being traduced for correſponding; during the American war, with this great man, becauſe he was a *Rebel!*

intereſt is not the object of our Government, it is, it muſt be, becauſe the general will does not govern. We are boldly challenged to produce our proofs; our complaints are aſſerted to be chimerical, and the excellence of our Government is inferred from its beneficial effects. Moſt unfortunately for us, moſt unfortunately for our country, theſe proofs are too ready, and too numerous. We find them in that "monumental debt," the relique of waſteful and profligate wars, which already wrings from the peaſant ſomething of his hard-earned pittance, which already has puniſhed the induſtry of the uſeful and upright manufacturer, by robbing him of the aſylum of his houſe, and the judgment of his peers, to which the madneſs of political Quixotiſm adds a million for every farthing that the pomp of Miniſterial empiriciſm pays, and which menaces our children with convulſions and calamities, of which no age has ſeen the parallel. We find them in the black and bloody

liſt

liſt of perſecuting ſtatutes that are ſtill ſuffered to ſtain our code; a liſt ſo execrable, that were no monument to be preſerved of what England was in the eighteenth century but her ſtatute book, ſhe might be deemed ſtill plunged in the deepeſt gloom of ſuperſtitious barbariſm. We find them in the ignominious excluſion of great bodies of our fellow-citizens from political truſt, by teſts which reward falſehood and puniſh probity, which profane the religion they pretend to guard, and uſurp the dominion of the God they profeſs to revere. We find them in the growing corruption of thoſe who adminiſter the Government, in the venality of a Houſe of Commons which has become only a cumberous and expenſive chamber for regiſtering Miniſterial edicts—in the increaſe of a Nobility arrived to a degradation, by the profuſion and proſtitution of honours which the moſt zealous partizans of Democracy would have ſpared them. We find them, ABOVE

ALL, in the rapid ſtrides which have been made to ſilence the great organ of Public opinion, the Preſs, which is the true control on Miniſters and Parliaments, who might elſe, with impunity, trample on the impotent formalities that form the pretended bulwark of our freedom. The mutual control, the well-poiſed balance of the ſeveral members of our Legiſlature, are the viſions of theoretical, or the pretext of practical politicians. It is a Government, not of check, but of conſpiracy—a conſpiracy which can only be repreſſed by the energy of popular opinion.

Theſe are no viſionary ills, no chimerical apprehenſions. They are the ſad and ſober reflections of as honeſt and enlightened men as any in the kingdom; nor are they alleviated by the torpid and liſtleſs ſecurity into which the people ſeem to be lulled.—*Summum otium forenſe non quieſcentis ſed ſeneſcentis civitatis.* It is in this fatal temper that men become

become ſufficiently debaſed and embruted to wallow in placid and polluted ſervitude. It is then that it may moſt truly be ſaid, that the *mind* of a country is ſlain. The admirers of Revolution principles naturally call on every aggrieved and enlightened citizen to conſider the ſource of his oppreſſion. If penal ſtatutes hang over our Catholic brethren, if teſt acts outrage our Proteſtant fellow-citizens, if the remains of feudal tyranny are ſtill ſuffered to exiſt in Scotland, if the preſs is fettered, if our right to trial by jury is abridged, if our manufacturers are proſcribed and hunted down by EXCISE, the reaſon of all theſe oppreſſions is the ſame. No branch of the Legiſlature repreſents the people. Men are oppreſſed, becauſe they have no ſhare in their own government. Let all theſe claſſes of oppreſſed citizens melt their local and partial grievances into one great maſs. Let them ceaſe to be ſuppliants for their rights, or to ſue for them like mendicants, as a precarious

boon from the arrogant pity of uſurpers. Till the Legiſlature ſpeaks their voice, it will oppreſs them. Let them unite to procure ſuch a reform in the repreſentation of the people, as will make the Houſe of Commons their repreſentatives. If diſmiſſing all petty views of obtaining their own particular ends, they unite for this great object, they muſt ſucceed. The co-operating efforts of ſo many bodies of citizens muſt awaken the nation, and its voice will be ſpoken in a tone that virtuous Governors will obey, and tyrannical ones muſt dread. It is impoſſible to ſuppoſe the exiſtence of ſuch inſolent profligacy as would affect to deſpiſe the national voice, if it were unequivocally ſpoken.

This tranquil and legal reform is the ultimate object of thoſe whom Mr. Burke has ſo foully branded. In effect this would be amply ſufficient. The powers of the branches of the legiſlature have never been formidable

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in England, but from diſcords between the Houſe of Commons and its pretended conſtituents. Were that Houſe really to become the vehicle of the popular voice, the privileges of other bodies, in oppoſition to the ſenſe of the people and their repreſentatives, would be but as duſt in the balance. From this radical improvement all ſubaltern reform would naturally and peaceably ariſe. We dream of no more, and in claiming this, inſtead of meriting the imputation of being apoſtles of ſedition, we conceive ourſelves entitled to be conſidered as the moſt ſincere friends of tranquil and ſtable Government.—We deſire to avert revolution by reform; ſubverſion by correction. We admoniſh our Governors to reform while they retain force to do it with dignity and ſecurity, and not to wait the moment, which *will infallibly* arrive, when they ſhall be obliged to ſupplicate that people whom they oppreſs, and deſpiſe, for the ſlendereſt pittance of their power.

The grievances of England do not, we confeſs, at preſent juſtify a revolution. But they are in a rapid progreſs to that fatal ſtate, in which they will both juſtify and produce it. It is becauſe we ſincerely love tranquil freedom, that we earneſtly deprecate the moment when virtue and honour ſhall compel us to ſeek her with our ſwords. Are not they the true friends to authority who deſire, that whatever is granted by it "ſhould iſſue as a "gift of her bounty and beneficence, rather "than as claims recovered againſt a ſtruggling litigant? Or, at leaſt, that if her "beneficence obtained no credit in her conceſſions, they ſhould appear the ſalutary "proviſions of wiſdom and foreſight, not as "things wrung with blood by the cruel gripe "of a rigid neceſſity *." We deſire that the political light which is to break in on England ſhould be "through well-contrived and well-

* Burke's ſpeech at Briſtol, page 13.

"diſpoſed

" diſpoſed windows, not through flaws and " breaches, through the yawning chaſms of " our ruin*." Such was the language of Mr. Burke in caſes nearly parallel to the preſent. But of thoſe who now preſume to give ſimilar counſels, his alarm and abhorrence are extreme. They deem the " preſent times" favourable " to all exertions in the cauſe of " liberty." They naturally muſt. Their hopes in that great cauſe are from the determined and according voices of enlightened men. The ſhock that deſtroyed the deſpotiſm of France has widely diſperſed the clouds that intercepted reaſon from the political and moral world; and we cannot ſuppoſe, that England is the only ſpot that has not been reached by this flood of light that has burſt in on the human race.—We might ſuppoſe too, that Engliſhmen would be ſhamed out of their torpor by the great exertions of nations whom

* Id. p. 15.

we

we had long deemed buried in hopeleſs ſervitude. Thus far we might be pardoned for thinking the preſent moment peculiarly auſpicious to exertions in the cauſe of freedom. But nothing could be more abſurd than to aſſert, that all who *admired* wiſhed to *imitate* the French Revolution. In ONE view there was room for diverſity of opinion among the warmeſt and wiſeſt friends of freedom, as to the portion of Democracy infuſed into the Government of France. In another, and a more important one, it is to be recollected, that the conduct of nations is to vary with the circumſtances in which they are placed.—Blind admirers of Revolutions take them for implicit models. Thus Mr. Burke admires that of 1688; but we, who conceive that we pay the pureſt homage to the authors of that Revolution, not in contending for what they *then* DID, but for what they *now* WOULD DO, can feel no inconſiſtency in looking on France, not to model our conduct, but to invigorate the

the ſpirit of freedom, we permit ourſelves to imagine how Lord Somers, in the light and knowledge of the eighteenth century, how the patriots of France, in the tranquillity and opulence of England, would have acted.—We are not bound to copy the conduct to which the laſt were driven by a bankrupt Exchequer and a diſſolved Government, nor to maintain the eſtabliſhments which were ſpared by the firſt in a prejudiced and benighted age. Exact imitation is not neceſſary to reverence. We venerate the principles which preſided in both events, and we adapt to political admiration the maxim that has long been received in polite letters, that the only manly and liberal imitation is to ſpeak as a great man would have ſpoken, had he lived in our times, and been placed in our circumſtances.

But let us hear the charge of Mr. Burke. "Is our Monarchy to be annihilated, with all

" all the laws, all the tribunals, all the an-
" cient corporations of the kingdom? Is
" every land-mark of the kingdom to be done
" away in favour of a geometrical and arith-
" metical Conſtitution? Is the Houſe of
" Lords to be uſeleſs? Is Epiſcopacy to be
" aboliſhed?"—and, in a word, is France to be imitated? Yes! if our Governors imitate her policy, the State muſt follow her cataſ-trophe. Man is every where man—impri-ſoned grievance will at length have vent, and the ſtorm of popular paſſion will find a feeble obſtacle in the ſolemn imbecillity of human inſtitutions. But who are the true friends to the order of Government, the prerogative of the Monarch, the ſplendor of the hierarchy, and the dignity of the peerage? Thoſe moſt certainly who inculcate, that to withold re-form is to ſtimulate convulſion; thoſe who admoniſh all to whom honour, and rank, and dignity are dear, that they can only in the end preſerve them by conceding, while the

moment of conceſſion remains; thoſe who aim at draining away the fountains that feed the torrent, inſtead of oppoſing puny barriers to its courſe. "The beginnings of confuſion "in England are at preſent feeble enough, "but with you we have ſeen an infancy ſtill "more feeble growing by moments into a "ſtrength to heap mountains upon moun-"tains, and to wage war with Heaven itſelf. "Whenever our neighbour's houſe is on fire, "it cannot be amiſs for the engines to play "a little upon our own." This language, taken in its moſt natural ſenſe, is exactly what the friends of reform in England would adopt. Every gloomy tint that is added to the horrors of the French Revolution by the tragic pencil of Mr. Burke, is a new argument in ſupport of their claims, and thoſe only are the real enemies of the Nobility and the Prieſthood, and other bodies of men that ſuffer in ſuch convulſion, who ſtimulate them to ſuch unequal and deſperate conflicts.

Such

Such are the ſentiments of thoſe who can admire without ſervilely copying recent changes, and can venerate the principles without ſuperciliouſly defending the corrupt reliques of old Revolutions.

" Grand ſwelling ſentiments of liberty," ſays Mr. Burke, " I am ſure I do not deſpiſe. " Old as I am I ſtill read the fine raptures of " Lucan and Corneille with pleaſure." Long may that virtuous and venerable age enjoy ſuch pleaſures. But why ſhould he be indignant that " the glowing ſentiment and the lofty ſpeculation ſhould have paſſed from the ſchools and the cloſet to the Senate, and no longer ſerving " to point a moral or adorn a " tale," ſhould be brought home to the buſineſs and the boſoms of men. The ſublime genius whom Mr. Burke admires, and who ſung the obſequies of Roman freedom, has one ſentiment, which the friends of liberty in England, if they are like him condemned to

look abroad for a free government, muſt adopt——

Redituraque nunquam
Libertas ultra Tigrim Rhenumque receſſit
Et toties nobis jugulo quæſita negatur
Germanum, Seythi cumque bonum.——

FINIS.

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